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STATE OF NEW HAMPSHIRE

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# Report of the Children's Commission

TO THE

GOVERNOR AND LEGISLATURE

JANUARY, 1915

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CONCORD, N. H.

1914

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MEMBERS OF THE COMMISSION

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*Mr. Carpenter*

LILIAN CARPENTER STREETER, *Chairman*

ERVILLE BARTLETT WOODS, *Secretary*

JOHN JOSEPH BROPHY.





## ACT CREATING THE COMMISSION.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION OF THREE PERSONS TO INVESTIGATE MATTERS RELATING TO THE WELFARE OF THE DEPENDENT, DEFECTIVE AND DELINQUENT CHILDREN OF THE STATE.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the governor and council be hereby authorized to appoint three suitable persons who shall investigate all matters relating to the welfare of the dependent, defective and delinquent children of the state, especially the questions of orphanage, juvenile courts, detention homes, desertion, physical and mental degeneracy, infant mortality, accidents and diseases, and make report, with recommendations concerning the above matters, to the legislature of 1915, said commission to serve without compensation except for necessary expenses, and the governor is hereby authorized to draw his warrant for such actual reasonable expenses of said commission.

SECT. 2. This act shall take effect upon its passage.

Approved April 15, 1913.



## LETTER OF TRANSMITTAL.

STATE HOUSE, CONCORD, NEW HAMPSHIRE.  
January 1st, 1915.

*To His Excellency the Governor, and the Honorable Council and Legislature:*

In accordance with the statute the State Children's Commission has the honor to submit herewith their report:

PART I gives the preliminary statement and summarizes existing conditions in the state. (Pp. 23-50.)

PART II gives detailed reports upon the subjects investigated by the Commission, accompanied by statistical tables. (Pp. 53-110.)

Your especial consideration is respectfully requested for the bill creating a State Board of Children's Guardians, which is submitted by the Commission. (Pp. 15-19.)

LILIAN C. STREETER.  
ERVILLE B. WOODS.  
JOHN J. BROPHY.

## RECOMMENDATIONS FOR IMMEDIATE ACTION.

1. The establishment of a centralized state administrative agency responsible for all the children of the state, organized with adequate powers of execution, as well as supervision.
2. The establishment of a colony for feeble-minded girls and women of child-bearing age.
3. The appointment of probation-truant officers equipped to do preventive work in all police districts, thus minimizing and at the same time making effective the work of juvenile courts throughout the state.
4. Compulsory supervision of all public schools with a clear definition of the respective powers of school boards and school superintendents, and compulsory reporting by rural teachers to their superintendents of all conditions which are a menace to child welfare in their districts.

## ULTIMATE AIMS.

1. Private family homes for all normal dependent children.
2. Institutional care for all feeble-minded children.
3. Special classes in school wherever feasible for all backward children.
4. Medical inspection of children in every school in New Hampshire.
5. Immediate filing of an accurate birth certificate for every baby born in New Hampshire.
6. Expert counsel of district or school nurse available for every mother in the state.



## BILL OF THE COMMISSION.\*

*Be it enacted by the Senate and House of Representatives  
in General Court Convened:*

SECTION 1. A Board to be known as the State Board of Children's Guardians is hereby created. Said Board shall consist of the Chairman of the State Board of Charities and Correction, the Superintendent of Public Instruction for the time being, and three other persons, to be appointed by the Governor and Council; of whom one shall be appointed for one, one for two, and one for three years, and thereafter on or before the first day of September in each year one person shall be appointed a member of the Board for the term of three years. Vacancies in the Board shall be filled by the Governor and Council.

SECT. 2. Rooms in the State House shall be assigned for the use of the Board and it is authorized to employ

\*NOTE.—It is the belief of this Commission that the work of the State Board of Charities and Corrections, State Superintendent of Public Instruction, and the State Board of Children's Guardians, should constitute three coördinate branches of administration, each indispensable and each concerned with a distinct field.

Hitherto these fields, so far as work for children goes, have been badly confused, with the result that responsibility for action in behalf of children in trouble, was hopelessly divided between local officials (school boards, selectmen, county commissioners, and justices), on the one hand, and the State Board of Charities and Correction, the Superintendent of Public Instruction, and the State Board of Control on the other.

A careful reading of this proposed act will show that adequate powers to protect and befriend children are now committed for the first time to a single board, a board moreover which is not required by law to attend to a single other duty of any sort.

such agents and clerks as may be necessary at salaries to be fixed by the Board and approved by the Governor and Council. The Board shall investigate the history of all delinquent and dependent children committed to its care, or reported by the Board of Charities, and shall keep a record of all facts it deems essential to the solution of the problems of delinquency and dependency. The sum of \$15,000 a year is hereby appropriated for the use of this Board, to be paid out of the treasury on the consent of the Governor, but its members shall receive nothing except for expenses incurred in the performance of their official duties. The Board shall file with the secretary of State on or before the first day of November in each year, a report of its doings for the preceding year. This report shall contain an itemized account of the Board's expenses, and such other information and recommendations as it thinks will promote the public welfare.

SECT. 3. This Board shall have the same powers over the persons and property of delinquent and dependent children and shall owe such children the same duties it would have and owe, if it were appointed their guardian under the provisions of the Public Statutes, *c* 178. It shall have all the powers over delinquent children granted in sections 17-31, *c* 101, Laws of 1913. Upon appointment by the Court this Board shall also have the power to assume guardianship over any abandoned, homeless, neglected, or abused child or any child exposed to grave moral danger. And it shall be the duty of the Court when such abandonment, homelessness, neglect, abuse, or moral danger is shown to exist, to commit such child to the guardianship of the Board.

SECT. 4. Any minor who has been committed by the Court, either as a dependent or a delinquent child, to an institution, or to the custody of an officer, under the provisions of laws of 1907, *c* 125, is a delinquent child within the meaning of this act. A dependent child according to this



act is any child so defined in Section 1, *c* 125 of the laws of 1907.

SECT. 5. It shall be the duty of the Board or its agents to visit all public and private institutions and homes, to which its wards may be committed, or in which they may be supported, and for this purpose may enter such places at all reasonable times to ascertain their conditions. If it ascertains that any delinquent child committed to any penal institution, other than the Industrial School, is in any way improperly cared for, or abused, it shall report the facts forthwith to the Governor and Council; if it ascertains that any of its other wards are treated unkindly, or subjected to demoralizing influences, it shall immediately remove them to some suitable place, at the expense of the person or municipality, if any, responsible for their maintenance.

SECT. 6. It shall be the duty of the Board to recommend a suitable person to the Governor and Council to be appointed as the Probation-Truant Officer in each of the Judicial Districts into which the state is divided. The person so appointed shall have and exercise the same powers and duties as probation officers now have and exercise, when appointed by the Judge under the provisions of laws of 1907, *c* 125, S. 6, and amendments thereto, and in addition shall perform such other services as he or she may be called upon by the Board to perform. Such officers shall perform all duties now devolving under the law, upon truant officers in the several school districts embraced within their jurisdiction, and shall be vested with all the powers of truant officers. They shall be responsible for the welfare of all children, and for the enforcement of all laws relating to the protection and welfare of children and minors, within their jurisdictions. Such officers shall hold office during the pleasure of the Board, and shall be paid for their services by the county of which the district forms part. The county shall also reimburse the probation officers for expenses actually incurred in the care of children committed to their custody by the Board or by the Court. All

bills for the services of a probation officer, and for expenses incurred as aforesaid, shall be examined by the judge of the district, and by the Board of Children's Guardians, and, if approved, shall be paid by the county treasurer on the order of the judge. All children committed by the court under the provisions of laws of 1907, *c* 125, after September 1, 1915, who are not committed to a penal institution, shall be committed to the custody of the Board, to be maintained by it at the expense of the city, town, or county, that would be liable for the child's maintenance if he were a public charge; but the municipality so paying for the child's support, may recover the sum paid from the person or persons liable for his support.

SECT. 7. The overseers of the poor shall make the same reports to the Board that they make to the County Commissioners under the provisions of Public Statutes, *c* 85, S. 6, as amended by laws of 1903, *c* 67, S. 2, and in addition shall furnish said Board such other information in respect to the persons assisted, as it may from time to time require.

SECT. 8. It shall be the duty of the Board to enforce all laws intended for the protection of children, and to investigate all charges that may be brought to its attention, and to report its findings in the matter, if it thinks a crime has been committed, to the attorney-general, and the solicitor of the county in which it is alleged the offence was committed. It shall be the duty of these officers to prosecute all such charges at the expense of the county.

SECT. 9. It shall be the duty of the Board to find homes in private families, preferably within the state, for its wards whenever that is reasonably possible, either with or without the payment of board; and when the Board deems such a course expedient, it may pay the parents of the ward, or one of them, in whole or in part, for the board of the ward. In finding a home for the child committed to its care the Board, so far as possible, shall place its ward in a family of the same religious faith as that to which the

child's parents belong. The expense incident to maintaining a child in such a home shall be paid by the county, city or town responsible for its maintenance.

SECT. 10. The administration of all acts with relation to the labor of children in the industries, such as are now committed to the oversight and direction of the Superintendent of Public Instruction shall on and after September 1, 1915, be transferred to the Board of Children's Guardians, together with the agents of the Superintendent of Public Instruction, appointed for the purpose of enforcing such acts.

SECT. 11. The Board of Children's Guardians, with the approval of the attorney-general, may employ counsel, and provide legal assistance, whenever the same may, in their opinion, be necessary for the enforcement of the provisions of this act, and the cost thereof shall be a charge upon the appropriation herein provided.

SECT. 12. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 13. The members of the State Board of Children's Guardians shall be appointed previous to August 1st, 1915, and the other provisions of this act shall take effect on the first day of September, 1915.



# PART I



## GENERAL REPORT.

### PRELIMINARY STATEMENT.

The history of the New Hampshire Children's Commission dates from December, 1912, when, at a meeting of the Executive Committee of the New Hampshire Conference of Charities and Corrections, the chairman of the Committee on Dependent Children of the Conference presented the following resolution:

Since the ultimate aim of all social and charitable work is the final abolition of poverty, crime, and disease, and since all authorities are agreed upon the fact that the only way to bring about this result is by beginning with the children of the nation, we most earnestly hope that the New Hampshire State Conference of Charities may now concentrate its energies upon the child, and petition the coming Legislature for the appointment of a Commission of three members, who shall investigate all matters relating to the welfare of the children of our state, especially the questions of orphanage, juvenile courts, desertion, physical and mental degeneracy, infant mortality, accidents and diseases, and report to the Legislature of 1915, recommending the necessary measures for the improvement of the conditions of child life in New Hampshire,—this Commission to serve without compensation, excepting for necessary expenses.

LILIAN C. STREETER, *Chairman,*  
*for the Committee on Dependent Children,*  
*New Hampshire State Conference of Charities and Corrections.*  
December 17, 1912.

This resolution was adopted and a bill drafted from it was introduced into the Legislature of 1913, by the Hon. James F. Brennan of Peterborough. The bill passed successfully the House Committees on Revision of Statutes and Appropriations, and the Senate Committees on Judiciary and Finance, and was signed by Governor Felker April 15th, 1913. A copy is prefixed. (P. 9.)

On July 15th, 1913, Governor Felker appointed the following persons as members of the Commission authorized by this statute:

MRS. FRANK S. STREETER, Concord.

PROFESSOR ERVILLE B. WOODS, Hanover.

REVEREND JOHN J. BROPHY, Penacook.

As it was then the vacation season, it was not possible to get the members of the Commission together until September 26th, 1913, when the first meeting was held at the State House. The Commission organized by choosing Mrs. Streeter Chairman and Professor Woods Secretary, and arranged to meet every two months for consultation and reports.

For the special investigation of the eight subjects directed by the statute the work was divided as follows:

Infant Mortality (including accidents and diseases),

MR. WOODS.

Physical and Mental Degeneracy and Orphanages (including desertion),

MRS. STREETER.

Juvenile Courts and Detention Homes,

REVEREND FR. BROPHY.

In addition to these subjects, the Commission has studied and herewith presents brief reports upon the conditions surrounding children in the public schools of the state, and child labor conditions, matters closely interwoven with several of the above topics.

Ten meetings of the Commission have been held in all during the period from September 26, 1913, to December 12, 1914, and one public hearing, November 20th, 1914, when a meeting of all state boards and officials interested in child welfare was called at the State House by the Commission, to discuss the legislation in behalf of children which should be urged at the coming session.

Before laying out any plan of work the Commission consulted Miss Julia C. Lathrop, chief of the National Chil-



dren's Bureau, in order that their plans might be developed consistently with the investigations being undertaken at Washington, and that in their work they might cooperate as closely as possible with the national work.

The crucial point in determining the scope of the Commission's investigations, under the statute, was the interpretation that the Governor and Council might put upon the clause "necessary expenses."

On August 29, 1913, they passed the following resolution:

*Resolved*, That the Commission to investigate the matters relative to the welfare of the dependent, defective and delinquent children of the state be authorized to expend a sum not exceeding \$250.00.

Again on January 24, 1914, the Governor and Council authorized the expenditure by the Children's Commission of "\$600 in addition to the sum previously authorized, said sum of \$600 to be used in full for carrying on and completing the work of the commission."

This the Commission considered final until July 31, 1914, when an additional appropriation of \$500 was made for the use of the Commission, making the total sum appropriated \$1,350.\*

So, great as were the problems of research which confronted the Commission, during the first six months their chief problem was the fact that the sum of \$250 was all that they could be sure of for meeting all office expenses and supplies, all clerical and stenographic work, all traveling expenses, printing, postage, stationery and the final printing of the completed report itself. They realized keenly, moreover, that to make the thorough, exhaustive report that ought to be made on the subjects directed, it was absolutely necessary to employ one or more trained workers.

\*See Appendix for complete financial statement.

Thus the winter was spent in much anxious questioning at each meeting of the Commission, as to how the report that ought to be rendered, could be made from this limited appropriation, and, as each member pursued his individual investigations, the problem became more and more perplexing. Light first began to dawn when, at a special meeting of the Commission held on Friday, April 3, 1914, just a year from the time the law creating the Commission was passed, the Chairman was able to report that the salary and expenses of a trained worker had been assured from a private source, and that Miss Isabelle Kendig of Chicago had been engaged as field worker for the Commission and would begin her work May 18.

As already stated, further grants by the Governor and Council in January and July, 1914, finally placed the work of the Commission upon a firm basis.

### EXISTING CONDITIONS.

Existing conditions surrounding the dependent, defective and delinquent children in New Hampshire may be briefly summarized as follows:

#### DEPENDENTS.

There is no centralized responsibility for all the children of the state, no State Board of Children's Guardians, or State Placing-out Agency. The dependent children of each one of the ten counties in the state are all under the care and control of the County Commissioners (of which there are three for each county), who alone have mandatory powers regarding them. There are no county institutions or homes for children. The children are placed by the Commissioners either in private orphanages or boarding homes. After the children are placed by the Commissioners, the State Board of Charities has the power only to visit

them, and to make recommendations. In other words, it has *supervision* only, but no *authority*. But there is not even supervision over private agencies where no public dependents are boarded. And when a child is discovered to be abused or neglected in a self-supporting home, i. e., a home that does not receive town or county aid, even the County Commissioners can not interfere. In one case recently a child was actually first adjudged a pauper in order that he might be helped! The only way to rescue such a child is by an appeal to the courts, and neither the County Commissioners, nor the State Board of Charities, nor juvenile court officers, have any funds appropriated wherewith to pay expense of such appeal, or to pay the board of the child in some suitable place when awaiting trial, or when it is necessary to take the child from an unsuitable home.

In February of the current year the New Hampshire Children's Aid and Protective Society was organized in Manchester, a private society financed by private funds, which has already considered cases of neglect or crime from nearly every county in the state, has placed some children in homes, and has relieved some most distressing conditions, thereby proving not only that there are a great number of neglected children in the state, but the great need that exists for authorized state responsibility over *all* the children of the state. For no matter how well equipped or efficient the private agencies may be, only the strong arm of the state itself can adequately protect and care for all its little children, and unless there is the general and systematic care for all the children of the state, which only a state board can give, some of the children are bound to be neglected and abused, as at present, no matter what the energy and effectiveness of any private child-welfare agencies may be.\*

There are eighteen orphanages in the state (two of which have been established during the last three years), nine Protestant, caring for 416 children, and nine Catholic,

\*Vid. Text of proposed law, p. 15.

caring for 936 children. All these orphanages are under private management, and all but three receive public charges at public expense, though neither state nor county has any voice in their management. Twelve are on the congregate plan and six are small enough to be said to be maintained on the cottage plan. Some of them are more like children's boarding houses than orphans' homes, so many children in them are boarded, wholly or in part, by parents or County Commissioners, for in the manufacturing cities many parents who work in the mills board their children in orphanages. Children whose parents are temporarily unable to care for them are also often taken care of in orphanages. It has been impossible to find the number of children given free homes in these orphanages, but it is a safe estimate to say that at least 95% have their board paid, either wholly or in part, by County Commissioners or parents.

Only one of the orphanages takes children under three years of age—the New Hampshire Orphans' Home at Franklin, which receives children six months old and over. The only institution in the state especially for the care of babies from birth to three or four years of age, is the Infant Asylum of Our Lady of Perpetual Help in Manchester, conducted by the Sisters of Mercy, which can accommodate one hundred and fifty. In addition to these two large institutions there are eleven private boarding houses for infants now licensed in the state, and no one knows how many that are not licensed. There are also many private boarding houses for older children in the state, none of which are supervised. The conditions prevailing in these private boarding houses are often very bad indeed.

Notwithstanding the law of 1895, which forbade the keeping of children from three to fifteen years of age in almshouses over sixty days, there are still children to be found in nearly every almshouse in the state. These children are of two classes (besides babies under three years of age), namely,—feeble-minded children, and normal chil-

dren whose parents are under sentence in jail or prison. The statistics returned to the State Board of Charities July 31st, 1914, show 71 children in the almshouses of the state upon that date. At the time that the agent of the Children's Commission visited the almshouses only 67 were found, only 17 of whom were normal, the agent's visits being made at different times during a period of five months. It should be stated that these figures, being taken in the summer, show a much smaller proportion of children in the almshouses than would be shown in winter when whole families often go to the county farm for a sojourn. They sometimes evade the law by going away at the end of sixty days, only to return again a short time later for another sixty days' visit.

According to the last report of the State Board of Charities and Corrections there are 440 county or town charges in the various orphans' homes in the state, 205 in families and 71 in almshouses,—a total of 716 dependent children supported by public funds. In addition to these 716 public dependents there are 912 children in the various orphanages who are supported by private charity, a total of 1628 dependent children. In addition to this number there are, in the families who receive help from the county at their own homes, "out-door relief," so called, 2,614 children, making a total of 4,242 children in New Hampshire dependent upon charity, or almost one to every 100 of our population.

Considered as institutions the orphanages are most of them well-equipped and well-managed. The point to be criticized in considering them is the fact that in an era when institutional care for children is almost universally condemned elsewhere, public opinion in New Hampshire should be so overwhelmingly in its favor as is proved by the fact that she stands second in the United States in the number of children in institutions in proportion to her population. The census of 1910 shows that 261 children to every hundred



thousand in New Hampshire are in institutions, or one-fourth of one per cent. of the total population, and New York alone exceeds this proportion with 332, or  $\frac{1}{3}$  of 1%.

Another significant fact is the steady increase in the number of children so cared for in proportion to the population. In 1900, the first year in which any complete attempt was ever made in the state to collect statistics of dependent, defective or delinquent children, the report of the State Board of Charities showed 998 dependent children, while the report of 1914 shows 1628, an increase of 63%. Yet the increase in the population of the state from 1900 to 1910 was only 4.6%.\*

Another phase of the question that should receive careful consideration is the fact that every orphanage in the state but two include some feeble-minded children among their numbers, the total number found being 262. Vid. Tables I, II and III, pp. 83-85.

#### DESERTION.

Every charity worker knows that the problems of the desertion of wives and children by unprincipled fathers, and of faithful, patient fathers and little children, by immoral mothers, are among the most perplexing and hopeless of all the problems with which they have to struggle. The laws of New Hampshire cover these conditions fairly well. The laws of 1913 provide that any man who deserts or refuses to support his wife in destitute or necessitous circumstances, without lawful cause, or neglects to provide for the support of his legitimate or illegitimate children under sixteen, shall be punished by fine or imprisonment or both.† The difficulty is in enforcing the law, and in the fact that many deserting husbands have no money wherewith to pay fines, and when imprisoned have no way of earning money for

\*Vid. U. S. Census 1910, supplement for New Hampshire.

~~I, II and III, pp. 83-85.~~

*† Vid. Digest of Law p. 115*

the support of their families. Moreover, while they are in prison, wives and children become a burden upon the county or town. As stated under the caption of dependent children, there is scarcely a county farm in the state but has normal, healthy children, between the ages of three and fifteen, staying in the almshouse temporarily, while one or both parents are serving a jail or prison sentence. If some scheme could be worked out whereby a man or woman guilty of desertion could be made to work out the sentence at hard labor, while their earnings while thus employed were applied to the support of the family, it would be a most valuable help towards solving this serious problem.

#### MOTHERS' PENSION LAW.

An act making generous provision for the relief of destitute widows with children was enacted by the Legislature of 1913. Ten dollars a month is allowed a widow with one child under the age of sixteen years, and \$5 a month for each additional child under sixteen. This allowance is made by the County Commissioners upon the recommendation of the School Board in the district in which the mother resides, "when by means of said allowance she will be able to remain at home with her children," when she is a "proper person morally, physically and mentally," for the bringing up of her children, and when she has been a resident of the county for "two years before making application for such allowance."\*

But, in point of fact, the law has been practically inoperative since its enactment, partly because the county delegations in the Legislature made no appropriations to cover such help, and partly because the County Commissioners very naturally object to granting financial aid upon the demand of another board, where they have no opportunity of personally investigating the need, themselves.

\*Vid. digest of law, p. 130.

From the report of the Superintendent of Public Instruction we find that six counties have granted this aid in twenty-eight cases, and refused it in seven cases, and four counties have not only granted nothing but have refused three cases. Evidently the law will have to be revised, putting the responsibility entirely upon either one board or the other, unless county commissioners and school boards can agree to administer it jointly. Some action to this end ought to be effected during the coming Legislature.

### DEFECTIVES.

There is no institution in the state for deaf, dumb, blind, crippled or tubercular children. New Hampshire appropriates \$18,000 a year for the care of her deaf, dumb and blind children in other states, and \$5,000 for the adult blind living in the state. There is no provision whatever for the care of indigent crippled or tubercular children except in the different almshouses in the state, though children twelve years old or more suffering from pulmonary tuberculosis can, occasionally, in an emergency, be received at the Glenclyff Sanitarium for incipient cases. The State Board of Charities and Corrections has asked every legislature since 1906 for the small annual appropriation of \$1,000 for the treatment of indigent crippled or tubercular children, and it has been in each instance consistently and emphatically refused, although the same legislatures which refused this meagre help for the poor little crippled and tubercular children, have appropriated large sums of money for tubercular cattle, as well as for armories, woodchuck and hedgehog bounties, and similar schemes. There are no orthopedic hospitals, or orthopedic wards in general hospitals, or convalescent homes for crippled children, or institutions for crippled children in the state. There is a state institution at Laconia for the feeble-minded between the ages of three and twenty-one capable of receiving some education, accommodating 185, and with a



waiting list of over 200. One totally deaf boy and one blind girl are now being cared for there also. There are no institutions for custodial care of the idiotic class, except the ten county farms, and there is no provision for custodial care for feeble-minded women of child-bearing age. There is no arrangement for applying psychological tests for feeble-mindedness in Juvenile Courts, or the State Industrial School, or in public schools. There are no special classes for backward children in the public schools of the state. The state School for the Feeble-minded was opened in 1903 simply for "all idiotic and feeble-minded children between the ages of three and twenty-one who are town or county charges, and who are capable of being benefited by school instruction." Two years later a law was passed providing that feeble-minded girls might be detained after they became twenty-one "if in the judgment of the Board of Trustees the best interests of the community demand their segregation." Later another law was passed providing for the "commitment to the institution upon application made to the judge of probate, of any feeble-minded female of child-bearing age, who was not in a public institution or a town or county charge, if considered a fit subject for the school for feeble-minded children." But the weak point in this law is the fact that no matter how many such feeble-minded girls or women may be committed now by the judge of probate, they can not be received at the State school for Feeble-minded because there is absolutely no room for them. Only seventy-eight such girls are now being cared for at the institution, after its twelve years' existence, while 550 are still at large in the state. (Vid. Table X, p. 91.) The State Hospital is caring for forty-five and the county farms seventy-one. The most pressing demand at the School for Feeble-minded at present is for the admission of the feeble-minded girl of child-bearing age, not only for her own protection, but for the protection of the community from so dangerous a menace to its wel-

fare. Two states, Virginia and North Carolina, have already passed laws providing that admission to their institutions for the feeble-minded shall be given first to girls and women of child-bearing age, in preference to boys, or girls under twelve. If New Hampshire follows their example at this session of the Legislature she will take a long step forward in preventing the increase of feeble-mindedness in the state. Dr. C. B. Davenport, Director of the Carnegie Station for Experimental Evolution says :

If the State were to segregate all its feeble-minded, were to examine for mental defects all immigrants settling in its borders, and were to deport those found to be defective, there would be a constantly diminishing attendance at State institutions for the feeble-minded, and at the end of thirty years there would be practically no use for such institutions.

There has been no separate provision for epileptics in the state, but twenty-nine are being cared for at the State School for Feeble-minded. The Legislature of 1913, however, appropriated \$40,000 for the building and equipment of a dormitory for epileptics, in connection with the State School for Feeble-minded, which building is nearly completed and will accommodate 100. If not completely filled by the waiting epileptics, the vacant beds will have to be filled from the waiting-list of feeble-minded, detrimental as that will be to the well-being of both. There is a most urgent demand for admission to the School for Feeble-minded for epileptic young men, from fourteen to twenty-one years of age, who have become violent and unmanageable as they have become older and larger. Another pressing demand is for the admission of the idiotic, untidy, useless, helpless burden, whom every one wishes to turn over to someone else to care for.

It is the height of folly for a state to care for its feeble-minded children only, and never make any attempt to stop this ever-increasing stream of feeble-mindedness at its source, by segregating all feeble-minded women of child-

bearing age. It would have been far better for the state of New Hampshire in 1901 to have passed a law providing for the custodial care of its great number of feeble-minded girls and women, than to have provided simply for the education of high-grade feeble-minded children between the ages of three and twenty-one, as it did, necessary as that was also. But by caring for the children first, it was simply putting the cart before the horse—to use a homely simile. In justice to the promoters of the law, however, it should be said that the clause giving custodial care to feeble-minded women was stricken from the bill only when it appeared certain that no provision whatever could be secured for any of the feeble-minded, if custodial care for feeble-minded girls and women of child-bearing age was insisted upon, so short-sighted were our legislators at that time. Therefore, in considering the problem of the feeble-minded today this Commission would recommend

First, that provision be made at once for custodial care for all feeble-minded girls and women of child-bearing age either at the State School for Feeble-minded, or in a colony under its supervision and direction;

Second, until the establishment of such a colony, girls and women of child-bearing age should be admitted to the School for Feeble-minded in preference to girls under twelve, or boys.

Third, that provision should be made as soon as possible for the care of *all* the feeble-minded children of the state, in addition to the small percentage now being cared for at the State School for Feeble-minded.

Fourth, that provision be made in the large public schools in the state for special classes for backward children, and that the mentality of all backward children in the public schools should be tested by the Binet measuring scale.

This may seem an impossible program, but there is little use in working for the feeble-minded unless we begin at the

beginning. Again we repeat that the first problem of the feeble-minded child is to recognize him.

From the last report of the Virginia State Board of Charities, which has now been studying feeble-mindedness for the past four years, we quote the following significant summary:

\*Several important facts regarding mental defectives have been clearly established:

1. Feeble-mindedness is incurable.
2. The feeble-minded reproduce twice as rapidly as normal stock.
3. Feeble-mindedness is hereditary. There has never been found a normal child both of whose parents are feeble-minded.
4. From twenty-five to fifty per cent. of our law-breakers are feeble-minded. They are dominated by an inherited tendency to crime. The percentage of commitments for major crimes, such as murder, arson and rape, is apparently twice as great among mental defectives as among normal people.

5. From feeble-mindedness springs, by inheritance, insanity, epilepsy and all forms of neurotic degeneracy.

6. A very large percentage of prostitutes are feeble-minded. In 1911 the Department of Research of the New Jersey Training School for Feeble-minded tested fifty-six delinquent girls, "all of whom had probably committed the worst offense a young girl can." Fifty-two were found to be mental defectives. A test recently made of one hundred girls taken at random from the New York Reformatory for Women at Bedford, by the Bureau of Social Hygiene, established by John D. Rockefeller, Jr., showed that all were apparently feeble-minded. Their average physical age was twenty years, nine and seven-tenths months; their average mental age, ten and five-tenths years. As shown elsewhere in this report, a test of inmates of our reformatory for delinquent white girls revealed the fact that thirty out of thirty-five were mental defectives. Out of 300 women examined by the Massachusetts Vice Commission only six were found to have ordinary intelligence.

In view of these facts it is apparent that our great problems of crime, insanity and the social evil are inseparable.

\*Fifth Annual Report Virginia State Board of Charities, pp. 11, 12.

arably intertwined with the problem of feeble-mindedness. Whatever progress we may make in the treatment of criminals there can be no great reduction of crime so long as we ignore the fact of criminal inheritance, and whatever we may do toward the segregation of the insane, or toward the suppression of the social evil, we shall contribute little toward the actual solution of these problems so long as we make no attempt to stem the appalling tide of feeble offspring that is increasingly pouring forth from our large and ever-growing class of mental defectives. So far as modern investigation enables us to see, the most pressing social need of our time is the segregation of the feeble-minded.

That it is the feeble-minded children from whom our own criminal classes are recruited no one can doubt who studies the Commission's record of the mentality of the 147 children tested at the State Industrial School. (Vid. Tables IV and V. Pp. 85, 86.)

Our almshouse tables show that the percentage of feeble-minded inmates of our county almshouses ranges from 15.5 in Strafford to 56.8 per cent. in Sullivan County, and averages 29 per cent. of the total number. (Vid. Table VI. p. 87.)

In our orphanages the story is the same. The study of the Commission has shown 262 feeble-minded children in the eighteen different orphanages of the state, a larger number than the School for Feeble-minded is caring for. (Vid. Tables I, II, and III, Pp. 83-85.)

Surely no one who gives any thought to these significant records can doubt that it is an imperative necessity for the State of New Hampshire to take immediate action towards preventing the continued increase of this great burden of feeble-mindedness, and vitally important that she give the best possible care to the present large number. Full details regarding the feeble-minded in the state will be found in Part II of the Report, Pp. 71-103.



## DELINQUENTS.

The only institution for delinquents in the state is the State Industrial School at Manchester, where girls and boys are received up to the age of eighteen years. The separate home for girls, opened about two years ago, is a model institution and there is also one cottage for the small boys, and the superintendent feels keenly the need of another cottage. At the time the Binet Tests were given there were eighteen little boys in the school twelve years old and under, and fourteen only thirteen years old. Surely when boys of such tender years are committed to a reformatory institution, the least the state can do is to provide separate cottages for them, instead of compelling them to be housed with the older boys, already hardened in vice, from whom they can not help but learn more evil every day. Under the management of Mr. and Mrs. Morton this institution is maintaining a very high standard. The improvement of conditions there, since they began their work three years ago, is very marked.

The only private home for wayward girls is the Mercy Home in Manchester, a most excellent institution maintained by the W. C. T. U., but which accommodates only twenty girls.

The Juvenile Court Law of the State of New Hampshire was passed in 1907, and its workings have proved more or less unsatisfactory. Some amendment and modification of the law, and arrangements for carrying out its provisions, are imperatively needed, especially the provisions for detention homes, or private boarding places where the children brought into court from undesirable homes and environment can be placed pending the final settlement of their cases.

The State of New Hampshire is divided into fifty-two police districts, covering the whole state, with a judge in each district. Only twenty-seven of these district judges have appointed probation officers. In studying the existing conditions regarding the Juvenile Courts of the state, letters

of inquiry, enclosing a list of questions to be answered, were sent to each one of the twenty-seven, and replies were received from twelve, some of them very full and satisfactory, and others chiefly negative, three for instance reporting no children on probation, no place of detention while awaiting trial, no records, no salary. From the others, ninety-five children were reported on probation. Eight report receiving a stated salary, but only a few say what it is. Where the salary is mentioned, it is so small as to be practically of no value. One probation officer, in reply to the question "What do you think would be a fair salary?", says "A good, hustling probation officer is worth more to a community than two policemen, and should be paid as much as a policeman"! These responses, few as they are, prove conclusively the need of adequate stated salaries for probation officers, salaries which in the larger cities should be sufficient to enable the officer to give his entire time to the work. There are no volunteer probation officers and no women probation officers, although there is great need of women probation officers in the cities. Among the ninety-five children reported on probation there were twenty-eight girls. The greater number of cases brought before the Juvenile Courts are for truancy. No reports were sent in as to the predominating offences for which children were committed, but truancy is known to furnish a great number of cases, and in many cases the truant officer and the probation officer are one.

#### INFANT MORTALITY.

At the beginning of all conservation, human or economic, stands the reduction of the present high rate of infant mortality in the United States. Of 1000 babies born alive about 140 fail to survive the first year which is a death rate at least twice as great as it needs to be. Occasionally an objection is raised to the reduction of the infant mortality rate on the ground that it is Nature's way of purging the race of its weaklings; it should be remembered, how-

ever, that a high infant mortality rate is only one symptom of conditions hostile to health in general.

When we compare New Hampshire cities and towns we find that the health of the babies is best in the rural parts of the state and worst in the larger industrial cities. The rate for the whole state is somewhat higher than that for Massachusetts, although the reverse was formerly the case. New Zealand and Australia have rates about one-half as great as ours, and there are cities in those lands where only a fourth as many babies die per 1000 births as die in Manchester and Nashua. The great metropolis of New York City has made remarkable gains so that at the present time the infant mortality rate for the whole city is less than 100 (per 1000 births) which is considerably lower than the rate in the healthiest portion of our New Hampshire population, that is, the rural towns of the state, and only about one-half as high as in Manchester and Nashua during several recent years. The following table gives the rates for the past ten years.

	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913	*1914
New York City....	162	159	153	144	128	129	125	112	105	102	95
Nashua .....	146	149	191	160	168	243	192	...	133	180	...
Manchester .....	207	226	213	224	212	261	193	...	162	195	...

\*Ten months.

There are great local differences in the infant mortality rate in New Hampshire which ought to be made the subject of very careful local study; for instance, the average rate for a period of ten years in the town of Somersworth is 173, which is probably the highest in the state outside of the two principal manufacturing cities. Berlin, Laconia, Dover and Franklin also have comparatively high rates.

One of the most encouraging signs in the situation in this state is the increased interest which is being taken in the careful registration of births. New Hampshire has been a pioneer in this most important form of vital bookkeeping; during 1912 and 1913, however, not more than 80 or 85 per cent. of the births were registered in important centers of the state. It is greatly to be hoped that citizens in every city and town will do everything in their power to assist the



State Registrar in his work, and especially by inquiring most particularly of the physician "whether a birth certificate has been promptly turned in for the baby." Progress in safeguarding the lives of infants can be accurately measured only when we can feel assured of a practically complete registration of births and deaths. In addition to its use in vital statistics, the birth certificate is of the greatest practical value as a proof of age and nativity as the child grows to maturity.

Too much cannot be said in praise of the infant welfare work being carried on in some of the larger cities of the state by associations of one name or another, such as the Infant Aid Association of Manchester, and the District Nursing Association of Concord, whose pre-natal work is of a high order and steadily increasing. The time should soon come when through District Nursing Associations or in some other way the expert counsel of a trained nurse should be available for every mother in the state. There is no vocation carried on in which more serious blunders are made than in the immemorial vocation of motherhood; too-frequent child-bearing, too much fatigue incurred at critical times, too little breast-feeding of babies, and wrong feeding and care of young children are robbing the state of hundreds of little prospective citizens every year. Careful counsel given before and after the birth of children would make a wonderful improvement possible.

Wholesome milk for babies, and most important of all, mother's milk, is the greatest single factor in fighting unnecessary infant mortality. There is no satisfactory substitute for the nursing of young infants. If in addition to this, district nursing, and a general knowledge of infant hygiene are added, rapid progress is certain to be made.

It is believed that the registration of births can be greatly improved through the better coöperation of city and town clerks with the State Registrar, and through the stricter enforcement of the law by the Registrar. It is also very desirable that the infant mortality rate for the various cities of the state be published in the Registration Reports

issued by the State Registrar of Vital Statistics. For other recommendations and a fuller discussion of infant mortality in New Hampshire, the reader is referred to the longer account of this subject in Part II of this Report, Pp. 53-70.

### THE HEALTH OF CHILDREN.

The state of New Hampshire made an important stride forward in the direction of conserving the health of its school children two years ago when the Legislature passed the Act authorizing the medical inspection of schools. In European countries and in many American communities where medical inspection prevails, from thirty to sixty per cent. of the school children are found to be in need of medical treatment of some kind. In New York city 40% needed dental care, 38% had enlarged glands of the neck, 31% had defective vision, 18% had enlarged tonsils. (See Report on National Vitality by Professor Irving Fisher, pp. 72-76.) Eye strain, often unsuspected, is the cause of a whole train of functional disorders in children, such as sick headache, digestional trouble and nervous diseases. "That physical defects are responsible for much of the backwardness of children, and for a large share of truancy and incorrigibility, is the opinion of many educators." (Do. p. 75.)

How wise then are the school districts in this state which are listed below, which have already adopted medical inspection. Many others ought speedily to take advantage of the provisions of this law :

Bath (Town)	Keene	Woodstock
Belmont	Lee	Whitefield (Special)
Berlin	Lisbon (Special)	Rye
Claremont	Meredith	Salem
Concord	Nelson	Stratham
(School Nurse)	New Ipswich	Tilton (Town)
Exeter	Newport	Tilton (Special)
Franklin	Newton	Weare
Greenland	Northumberland	Whitefield (Town)
Hampstead	Penacook	
Hanover (Special)	(School Nurse)	
Haverhill	Plaistow	
(Woodsville)	Rindge	

## CHILD LABOR CONDITIONS.

Child labor in New Hampshire is under the charge of the Superintendent of Public Instruction to whose report those interested are referred for full details. The law which was passed during the last session of the legislature is considered among the best in the country, and its provisions are well enforced by the superintendent, under whom two inspectors are constantly at work throughout the state. So far as child labor goes the children in New Hampshire are thoroughly well protected. The digest of the law will be found in the appendix, Pp. 127-129.

## CONDITION OF CHILDREN IN THE SCHOOLS.\*

The schools of New Hampshire compare most favorably with those of any other state in the country. New Hampshire is one of the few states in the Union whose state superintendents of public instruction are appointed by the Governor, and have a comparatively permanent tenure of office. Most of the states elect superintendents for short terms, either annually or biennially, a custom most detrimental to sustained high standards of usefulness. Though from the very nature of the conditions prevailing in New Hampshire, i. e., the great preponderance of rural over urban communities, the number of rural schools is much larger than the number of city schools, yet New Hampshire leads the country in the proportion of her children who go up to the high school after finishing the lower grades. Sixty-nine per cent. of the New Hampshire school children enter the high schools. There are 77 first-class high schools in the state, and the state pays the tuition of pupils in other high schools when there is none in the town where the children live. It sometimes even pays high school

\*This brief summary of the conditions of children in the schools is merely an index. For full details and a comprehensive exposition of the whole situation, those interested are referred to the Biennial Report of the State Superintendent of Public Instruction, and especially to his chapter on Child Welfare.

tuition in Vermont, Maine or Massachusetts when the pupil is too far distant to attend any New Hampshire school, and is nearer a high school in the other state. Three-fourths of the high schools are giving practical training in either domestic or mechanic arts, commerce or agriculture. Forty give a four-years course in domestic arts, thirty-nine a four-years course in commerce, twenty a four-years course in agriculture, and eight a four-years course in mechanic arts.

This is an unusual showing and one of which our citizens should be very proud. For it must be remembered that our total population is only 430,572, and though only 40.8% of it is rural, yet 209 of the 235 townships in the state have less than 2,500 inhabitants and are strictly rural communities, with no large villages and no industries except farming or portable sawmills.

Of the eleven cities in the state only two have a population of over 25,000. There are six with population from 10,000 to 25,000 and three from 2,500 to 10,000. The following table showing the distribution of population in the cities and towns of New Hampshire is interesting in this connection.

Cities over 25,000.....	Two
(Manchester, Nashua)	
Cities 10,000 to 25,000.....	Six
(Concord, Dover, Portsmouth, Berlin, Laconia, Keene)	
Cities 2,500 to 10,000.....	Three
(Rochester, Somersworth, Franklin)	
Towns 2,500 to 10,000 .....	Fifteen
Towns 1,500 to 2,500 .....	Twenty-five
Towns 1,000 to 1,500 .....	Forty-two
Towns 500 to 1,000 .....	Eighty-one
Towns 200 to 500 .....	Fifty
Towns of less than 200 .....	Eleven

On account of this large preponderance of rural townships, and the fact that so large a proportion of the state is so thinly settled, the problem of the rural schools looms

large in the state. There are many rural schools of only five or six pupils, and one was found that had only one child registered. Necessarily very small salaries are paid the teachers in these schools, and if a competent teacher is obtained she seldom stays long. Often the teacher is some one too incompetent to obtain a position elsewhere.

There is no such thing as a compulsory teachers' license in New Hampshire. There is a certification law for teachers, who may, if they are so inclined, be examined for teachers' certificate, but it is not mandatory. Doctors, lawyers, druggists, veterinarians, and undertakers are obliged to be licensed, but anybody can teach school who can secure a position. New Hampshire, Massachusetts and Connecticut are probably the only places in the civilized world in which any person can legally teach school, in other words, the only states in which there is absolutely no legal safeguard surrounding the teacher's functions. This situation is responsible for many of the distressing conditions found in the Commission's survey of the rural districts.

As the choice of teachers rests entirely with the school board, there is room for much favoritism towards relatives and friends. Perhaps the most glaring instance of this is the case of a teacher who had failed twice to pass her high-school entrance examinations and who had such a pronounced speech defect that the children unconsciously imitated her in her pronunciation of words. Needless to say she was related to a member of the school board. The consolidation of rural schools has not been found wholly advantageous in New England, except in isolated cases, and it is done in New Hampshire only to a certain extent. Throughout the New England states, including New Hampshire, the main dependence, in the rural towns, must be upon the one-room school, and the strongest efforts of the school boards are now being directed towards making this one-room school a *good* school, and keeping it so. But though so few of the rural schools are consolidated, thirty per cent. are supervised. Seventy-seven per cent. of the children in the state are attending schools that are super-



vised, and the great improvement of the schools during the past ten years, can be ascribed chiefly to this intelligent, scientific supervision. Compulsory supervision over all the schools of the state is one of the most pressing present needs. Three of the 235 towns in the state have no schools at all. Perhaps ninety to one hundred have just as good schools as it is at present possible to have, and there are from twenty to thirty towns in the state where it is practically impossible to have good schools under existing conditions. These are the decadent, rural towns which have gradually lost their energetic, thrifty town's folk, either by death or removal, and where few except the inefficient and shiftless are left. They are, in other words, the country slums and are, in some respects, worse than any city slums.

It is impossible, however, to draw any line of cleavage between the city and country schools regarding moral conditions. The only difference between the city and country in this respect is that the city has police supervision and control, whereby offenders can be discovered and apprehended, and the country has not. On the other hand, the country has the great advantage, in its small and thinly settled communities, of neighborhood observation and criticism. The trouble here is, however, that in some parts of the state the neighborhood standards are so low that the most flagrant offences against morality are openly condoned. Such a low tone in the social and moral life of the community is most frequently found in the most thinly populated counties, where isolation has been a main factor in lowering the social ideals, as well as promoting the deterioration of the stock, through intermarriage and kindred evils. It is significant to note that the two counties which have the highest percentage of feeble-mindedness have also the lowest moral tone and are the most isolated from the life of the outside world. Moral and physical regeneration should be encouraged here by a closer touch with the larger

life and interests of the outside world, by organized and systematic efforts to improve rural living conditions.

It is a well-known fact that appalling immoral conditions prevail in many of the schools of the state, but so far as these immoral conditions are concerned, the school is generally the victim rather than the cause. Immorality like charity often begins at home. Adolescent girls and boys are too often allowed far too much freedom by their parents, are permitted to run the streets at night and go unattended to moving-picture shows, in spite of the prohibitory law, and are given no home training in morals or sex hygiene. The last legislature passed a good curfew law, which ought to be enforced in every city and town of over 500 population. (Vid. digest of law, p. 118.)

It can not be denied, however, that a great responsibility rests upon the school in these matters and that the demand for well-trained, high-grade teachers to meet it is far in excess of the supply. The greatest difficulty of the schools today is their large number of poorly-trained, young-girl teachers, for although the great majority of towns would pay enough for a good teacher if they could secure one, the good teachers can not always be found. The two normal schools now existing can not begin to train the number of teachers needed. The state should provide at once for two more normal schools,—one in the northern and one in the southeastern part of the state. No matter where you start on a public-school problem, you invariably arrive at the same solution, viz: the need of compulsory supervision and more thoroughly trained teachers.

Before leaving the question of moral conditions in the schools there is one subject which, delicate though it is, must be touched upon. The general public has no idea of the extent to which the practice goes on in this state of the seduction of girls of school age by grown men, often married, and it is a practice which seems to be increasing rather than diminishing. Though this crime is the most heinous there is, excepting murder, and has a possible penalty at-

tached to it of thirty years in state's prison, it is extremely difficult to prosecute the cases. The matter is generally hushed up by the payment of a money compensation from the guilty man to the father of the girl. The standard of public opinion in these matters is so low that the prosecuting officers are generally encouraged to overlook the offence, and they even often refuse to prosecute, on account of the social standing of the man and the dread of stirring up a bad scandal. Much of the trouble in the high schools of the state is due to the girls who have been ruined by older men, before they ever came to the high school, where they then become a menace to younger boys. The public school is a blessing, but when a girl like this goes into a school, it becomes a curse instead of a blessing, because thereby one girl contaminates so many. It is a poison that is contagious. Such conditions as these are not uncommon among girls of school age in all parts of the state, and the story of every state board is the same,—they can not get the laws enforced by the local authorities. People will say, "Why, he is one of our best citizens," and will question the evidence brought in, and where a state or county official has political aspirations it is worse than useless to try to prosecute. Such conditions of crime and immorality as are herein reported, will continue to prevail in our state until the State Board of Health, the State Board of Charities, and the State Superintendent of Public Instruction—to go no farther—have authority to enforce their own laws. Proofs of these statements are on file, and can be shown to any one interested. There is just one remedy for these immoral conditions, and that is the discipline of the law. When expediency uniformly takes precedence over right-living, things are bound to be rotten in the state, and the time has come to call a halt, and take a fresh start.

Public opinion on social immorality must be educated, for until the standards of public opinion on these matters are elevated, even the enforcement of the laws can have only a temporary effect.



## ACKNOWLEDGMENTS.

The members of the Children's Commission wish to acknowledge most gratefully their indebtedness to all who have helped them in the preparation of their report.

Outside the limits of our own state, our especial thanks are due to Miss Julia C. Lathrop, Chief of the National Children's Bureau; Dr. H. H. Hart, Director of the Child Helping Department of the Russell Sage Foundation; Dr. H. H. Goddard, Director of the Department of Research of the Vineland Training School for the Feeble-minded; Dr. W. E. Fernald, Superintendent of the Massachusetts School for Feeble-minded; and Miss Gertrude Knipp, Secretary of the American Association for the Study and Prevention of Infant Mortality, for much valuable help and wise counsel.

Within our own borders we have met with the most hearty coöperation everywhere. Not one person appealed to has refused help, many have gone out of their way to give us more than we would ever have dared to ask for. While it is impossible to name all who have coöperated with us, we would like to especially thank the Secretary of the State Board of Charities, the State Superintendent of Public Instruction, the Secretary of the State Board of Health, the Secretary of State, and the State Historian, for information given and for much practical assistance in other ways. The Superintendent of the State School for Feeble-minded has been constant in his coöperation and very kindly allowed two of his teachers to help in giving the Binet Tests. Dr. Bancroft and Dr. Dolloff of the State Hospital have also coöperated most cordially in giving these tests, and our thanks are also due Miss Flanders of Rochester and Miss Jenness of Dover for their ready help in testing the children in St. Charles' Orphanage in Rochester, and the Children's Home in Dover. Judge Young of the Supreme Court has given the Commission the benefit of his valuable advice from the beginning, and has been especially helpful in making suggestions in regard to the workings of the

Juvenile Court laws. We wish to thank also Mr. R. A. McDonough and the other probation officers of the state who responded so readily and fully to our requests for information.

Mr. Jonathan Piper of Concord, who prepared the Digest of all the New Hampshire laws relating to children, deserves the thanks of every child-welfare worker in the state, as well as the most grateful acknowledgments of the Children's Commission. The Commission is also indebted to Dr. H. W. N. Bennett and Miss Z. N. Lupien, R. N., of the Manchester Infant Aid Association, and to the city clerk and the city engineer of Manchester, who were of great help in our study of Infant Mortality in that city, as well as to the group of students in the Department of Sociology of Dartmouth College, who gave much time to tabulating the statistics of Infant Mortality. We wish also to cordially thank Mr. Frank S. Streeter, who, by providing the Commission with a field worker, made possible the thorough study of feeble-mindedness throughout the state, herein recorded.

Finally, we can not close our report without expressing our appreciation of the cordial support and coöperation received from all the orphanages of the state when giving the Binet Tests to the children they are sheltering, and our thanks to the various county commissioners, school boards, physicians and charity workers throughout the state who so cheerfully gave us every possible fact regarding the feeble-minded known to them, thus making it possible for us to return the remarkable record of a report from every one of the 235 townships in the state concerning their feeble-minded population.

Respectfully submitted,

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## PART II



## INFANT MORTALITY IN NEW HAMPSHIRE.

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Four topics will be considered in connection with this subject:

1. The Infant Mortality Rate for the state as a whole, together with a comparison of rates elsewhere, especially abroad;
2. The Registration of Births in New Hampshire;
3. The Infant Mortality Rate in Manchester and other places of over 5000;
4. Recommendations for Improvement.

### *I. The Infant Mortality Rate for the State of New Hampshire:*

Two facts have been noted by writers on infant mortality—the first, that the rate prevailing in the United States is twice as high as it needs to be; the second, that babies have not shared in the benefits derived from the medical discoveries of the past fifty years as they should have done; that is to say, there has been no general reduction in infant mortality comparable for example with the reduction in the number of deaths due to tuberculosis. Here in New Hampshire the tuberculosis death rate has been steadily lowered during the last dozen years from about sixteen per thousand population in 1900 to eleven in 1911, while the infant death rate has remained practically stationary during those years. Of course the infant death rate could never be reduced to the same extent that the rate due to tuberculosis may in time be reduced, but that a vast improvement is possible there can be no doubt.

To go no farther from home than Massachusetts we see a state which is consistently lowering its rate. Since 1905, Massachusetts and New Hampshire have changed places; Massachusetts formerly had the higher rate (notice the years 1900-1905 in the table below), but from 1906 on the New Hampshire rate averaged about fourteen points higher. This is in spite of the fact that 92.8% of the population of Massachusetts live in cities, while only 59.2% of the population of New Hampshire are in cities. The actual figures as presented below refer to the number of infants dying under one year of age per 1,000 living births; this is the usual and most satisfactory method of computing an infant death rate.

*Infant Mortality Rates Compared.*

	New Hampshire.	Massachusetts.
1900 .....	154.6	156.7
1901 .....	131.8	138.3
1902 .....	129.6	139.5
1903 .....	125.3	138.3
1904 .....	124.7	133.2
1905 .....	138.5	140.2
1906 .....	149.3	138.4
1907 .....	145.7	132.9
1908 .....	145.9	133.5
1909 .....	153.7	127.2
1910 .....	146.3	132.9
1911 .....	138.7	119.4
1912 .....	121.1	116.5
1913 .....	143.2	.....

(Drawn from the Registration Reports of N. H. and Mass.)

What was the cause of the increase in the New Hampshire rate from 1906 on? The decline of the Massachusetts rate was probably aided by the increasing completeness of birth registration in that state, for it is clear that

the larger the number of recorded births, the smaller will be the fraction which a given number of infant deaths constitutes of them.

That city life and ways as they exist today do not agree with babies appears in the following comparison of infant death rates in different sections of the population of the state. The period covered is 1906-1909 inclusive; any other four years would probably show similar results. The rate for all the towns of the state having a population of less than 2500, taken together, is 117; this is what we may call the New Hampshire rural infant death rate. Twelve places with from 2500 to 5000 population taken together, showed a rate of 129, or twelve points higher. Six places of 5000 to 10,000 had a rate of 139; five places of 10,000 to 20,000 however had a rate of only 132, while the city of Concord made a still better showing with a rate of 118, which is practically the rural rate. Nashua and Manchester with their special obstacles to the health of babies had rates of 190 and 227 respectively during those years.

If we compare what has been accomplished in New Hampshire in behalf of the babies with the results achieved abroad, especially in certain parts of the English-speaking world, we shall see how far we are from appreciating the possibilities of organized infant conservation work.

The following table, drawn from a variety of sources, presents some striking comparisons:

*Infant Mortality per 1,000 Births.*

*Cities.*

Dunedin, N. Z.	1912	40
Huddersfield, England.	1904-1905	54
New York City	1913	102
Nashua, N. H.	1906-1909	190
Manchester, N. H.	1906-1909	227



*Countries or States.*

New Zealand.	1906-1909	70
Queensland, Australia.	1906-1909	74
Ireland.	1906-1909	94
Massachusetts.	1906-1909	133
New Hampshire.	1906-1909	149

One of the finest records yet made is that of the city of Dunedin, New Zealand, a city with a population about a third greater than that of Nashua. There in 1912 the death rate for infants under one year was only 40 per 1000 births, or less than a fourth of the usual mortality in Nashua.

One of the most interesting experiments in the conservation of infant life was that at Huddersfield, England, in 1904-1905, where the mayor of one district having a population of 5,359 offered to "give a prize of one pound to the mother of every child born during his term of office who presented it living and well at the end of a year. A committee of ladies was formed to advise and visit the mothers. The death rate of infants in that district fell from 134 to 54 per 1,000." (Holt; Presidential Address, Proc. A. A. Study and Prevention Infant Mortality—1913, page 48; see also Newman: Infant Mortality, page 265). This is about one fourth of the rate which has prevailed in Manchester.

A more significant case still is that of New York City.

*New York City.*

Deaths and death rates of children under one year per one thousand children born.

Year.	Number of Deaths.	Death Rate.
1902 .....	15,526	181
1903 .....	14,413	152
1904 .....	16,125	162



1905 .....	16,522	159
1906 .....	17,189	153
1907 .....	17,437	144
1908 .....	16,231	128
1909 .....	15,976	129
1910 .....	16,215	125
1911 .....	15,053	112
1912 .....	14,289	105
1913 .....	13,780	101.9
1914 (first 10 months)	10,668	95

(Figures supplied by Dr. Josephine Baker, Director of the Division of Child Hygiene.)

From 1902 to 1912 the number of infant deaths annually was actually reduced more than a thousand, although between the censuses of 1900 and 1910 the population of the city increased a million and a third or 38.7%. The infant death rate has been steadily pushed downward until for the first ten months of 1914 it reached the extraordinary level of 95. In other words an urban population of over 5,000,000 souls, of whom over three-fourths are either foreign-born or of foreign or mixed parentage, millions of them living in the most crowded conditions, have nevertheless learned how to save their babies so that only half as many of them die, in proportion, as in Manchester, with a population one sixty-eighth as large.

The story of this wonderful achievement is too long to tell here, but a few of the factors involved are milk stations, visiting nurses, and the remarkable "League of Little Mothers," with its twenty thousand members, organized by Dr. Josephine Baker. Boston, St. Louis, and many other American cities are achieving remarkable success in the same direction.

This is a sort of conservation which we in New Hampshire ought to look into a little more carefully. A high medical authority has said that "a high infant mortality rate

almost necessarily denotes a prevalence of those causes and conditions which in the long run determine a degeneration of race; and further, that a high death rate of infants is an indication of the existence of evil conditions in the homes of the people—which are, after all, the vitals of the nation.” (See Preface to Newman: Infant Mortality.) In considering infant death rates one ought to keep in mind the fact that a high death rate means a high sickness rate; the two results are occasioned by the same set of causes. A high sickness rate means that a large number of babies who would otherwise escape infantile diseases are exposed to their ravages, and if they survive, they are not at all examples of the survival of the fit, but are often weakened in constitution and left with impaired vitality which handicaps them for life.

It may be added that nothing which makes for wholesome family life can fail to improve this unhappy and unnecessary condition of things. By all odds the greatest single factor is the practice on the part of mothers of nursing their babies during the greater part of the first year. It is a curious fact, apparently borne out by such statistics on the subject as we possess, that among domesticated horses upwards of 90% of the colts, at least in European countries, survive to maturity, whereas in only a few countries in the world, do human babies survive even the first year of life in the same proportion, to say nothing of attaining maturity.

Why do more than 90 out of 100 colts “grow up,” while, generally speaking, only from 50 to 80 out of a 100 human babies reach maturity? (See Dr. Corrado Gini: The Contribution of Demography to Eugenics.) Of course the babies have a longer road to travel before they reach maturity, *but why is the mortality during the first year of life among human infants greater than that during the first four years of the life of colts?*

Without attempting more than a suggestion as to the reasons, it may be noted in passing that colts, being domestic

animals and valuable property, are on the average, very well looked after by their owners. Furthermore, among horses a rather higher average of maternal care is found than in the case of the human species; that is to say, in both cases there is only one entirely suitable and uncontaminated food for the young (namely, mother's milk,) and the young of the horse more often receives this birthright than does the human infant. Out of bottles with long rubber tubes and bottles with short tubes, and bottles with no tubes at all, all manner of substitutes for mother's milk, from cow's milk, (the natural food of calves, not babies), to the most complicated and extensively advertised products of the laboratory, are poured into the human infant, with the result that 12% to 14% of the babies die before reaching the end of their first year, which appears to be much higher than the death rate of colts up to full maturity.

The breast feeding of infants is not of course the only means of saving lives; light, uncrowded and clean tenements; clean streets, alleys and yards; a wholesome milk supply; adequate play space; and the other conditions of healthful living should all be guaranteed to every citizen in so far as these things can be guaranteed by legislative or administrative action.

## *II. The Registration of Births in New Hampshire.*

The importance of the registration of births and deaths is well set forth in the following quotation from Dr. Frank W. Reilly in a Bulletin of the Washington State Board of Health: "There is hardly a relation in life from the cradle to the grave in which such a record may not prove to be of the greatest value. For example, in the matter of descent; in the relations of guardians and wards; in the disabilities of minors; in the administration of estates; the settlement of insurance and pensions; the requirements of foreign countries in matters of residence, marriage, and legacies; in marriage in our own country; in voting and in jury and militia service; in the right to admission and practice in the

professions and many public offices; in the enforcement of laws relating to child labor, as well as to the various matters in the Criminal Code—the irresponsibility of children under ten for crime or misdemeanor, the determination of the ‘age of consent,’ etc. As the country becomes more densely settled and the struggle for existence sharper, many of these matters, which have hitherto been of minor significance, will take on a deeper meaning and acquire greater importance.”

Some striking illustrations of the importance of a properly registered birth certificate are given in this same Bulletin. One of these relates to a young woman born in Spokane who was taken by her father to Europe for a visit in the land of his nativity. On the journey the father died, and the daughter who was still only a minor, was detained for over a month by the immigration authorities, when she returned to the United States, for in the absence of any public record of her birth and citizenship in this country, it was only by the most strenuous efforts that the officials could be satisfied that she was not a minor alien seeking to evade the law.

Another impressive example comes from Indiana. “A young man from Switzerland came to that state with his wife, settled there, and in time became the father of a little girl. When the child was three years old the father was killed in a sawmill accident and left his wife penniless. Without friends or relatives, she went to work as a laundress and struggled on in a vain effort to rear her child. Finally came the news that the child’s paternal uncle had died in Switzerland and had left \$12,000 to his brother’s child. The money was awaiting the girl upon proof that she was the issue of the dead man’s deceased brother. But the doctor who delivered the child’s mother was dead, the mother’s testimony was invalid, the child lost the inheritance, and, despite the greatest efforts, never received a dollar of the legacy. Had there been a law registering the birth of the child, the Swiss government would have accepted this without question and would have awarded the child the leg-

acy. As it was, she lost it irrevocably and was consigned to a life of drudgery."

These it may be said are unusual incidents, but that one's legal right to attend school, or go to work, or vote, or get married, or enter upon public office may depend upon the ability to establish one's age and in some cases, one's birth-place, there can be no doubt.

In order to learn to what extent births are being registered in New Hampshire a considerable investigation was undertaken of the public records of the cities of Manchester and Nashua for the years 1912 and 1913. The method followed by the Department of Health of the District of Columbia in 1911 and 1912 was made use of; this consists in looking up the registration of a considerable number of "local born" babies who died under one year of age, and whose deaths were duly recorded. In Manchester it was found that in 1912, 335 babies had died who had also been born there the same year, and who should of course be found recorded on the birth register of the city. Of these 66 could not be found among the birth records; these omissions constitute 19.7% of the cases studied. In 1913, 380 babies died in Manchester who were also born there the same year; 67 of these could not be found in the birth records, although the City Clerk's force used their experience and familiarity with the names common in the city in every effort possible to discover such records. These 67 omissions constitute 17.6% of the cases studied for that year. An examination of the racial distribution of these babies who died in 1913 and of the number of stillbirths occurring among them, both in the recorded and the unrecorded groups, leads to the conclusion that these cases do not differ materially as to completeness of registration from the babies of the city generally. I believe therefore that from fifteen to twenty per cent of all the babies of Manchester went unrecorded at birth in those years.

In the case of Nashua the published vital statistics of the city were studied in much the same way. During 1912 and



about ten months of 1913 a total of 177 babies was found who were born and who died within the same calendar year in that city; of these 31 did not appear recorded among the births or 17.5%.

We shall probably be safe in concluding therefore that in the two largest cities of the state, in spite of the pioneer record of the state in Vital Statistics, not over eighty or eighty-five per cent of the births are recorded. We should take to heart the words of a circular issued by the Bureau of the Census: "Vital Statistics are the *foundation* of scientific public health work, which cannot *begin* without access to compilation of vital statistics." The sentence which follows is also worth quoting: "Shall all our American work for the prevention of infant mortality be mere ineffective amateur work because we are not willing to lay a sound basis of vital statistics."

*The best way to improve our New Hampshire Infant Mortality Statistics is to begin to use them.*

The law now gives ample power to the State Registrar to require a full registration of births, and all citizens should do their part by insisting that physicians all over the state make punctual returns to the local authorities of birth certificates for all cases attended.

### *III. The Infant Mortality Rate in Manchester and Other Places of over 5,000.*

Through the courtesy of the Registrar of Vital Statistics it has been possible to prepare a table showing the infant mortality rate for all places in the state, having a population of over 5,000, for each year since 1903 except the year 1911, for which year deaths were not tabulated by ages and hence no infant mortality rates could be worked out. It will be noticed in the table printed below that the variations in a given place from year to year are considerable, but it is safe to say that the average rate for the years 1903-1913 (except 1911) is a suitable basis for comparisons between the different cities and villages of the state. It would be a

## DEATHS OF INFANTS UNDER ONE YEAR OF AGE PER 1,000 LIVING BIRTHS, BY YEARS, FOR CITIES AND TOWNS OF 5,000 AND OVER.

Cities and Towns.	1903	1904	1905	1906	1907	1908	1909	1910	1912	1913	Average 1903-13, Except 1911
Portsmouth .....	66	83	79	63	118	118	94	64	99	112	90
Lebanon .....	83	52	87	114	112	75	105	131	129	133	102
Keene .....	54	103	133	117	89	142	96	118	94	91	104
Concord .....	101	118	87	133	125	94	119	112	114	115	112
Rochester .....	76	83	139	139	161	114	130	111	90	97	114
Derry .....	155	64	74	146	115	144	118	101	63	171	115
Claremont .....	87	68	123	136	116	180	177	95	61	118	116
Franklin .....	132	211	131	153	116	82	185	86	46	132	127
Dover .....	119	137	174	112	162	129	126	117	146	106	133
Laconia .....	110	104	127	174	116	113	154	197	98	155	134
Berlin .....	179	188	138	163	125	191	142	213	117	140	159
Somersworth .....	146	153	208	167	165	196	132	199	134	230	173
Nashua .....	175	146	149	191	160	168	243	192	133	180	174
Manchester .....	210	207	256	213	224	212	261	193	162	195	210

very interesting and fruitful thing if physicians and boards of health and citizens generally in these places would study and attempt to explain the differences which appear in the table. The total number of births in even the smallest of these towns in ten years is sufficiently large to be significant. The cities and towns are arranged in the order of magnitude of their infant mortality rates, the places with low rates coming first and those with higher rates following; the last column, showing the average rate for ten years, is the most important part of the table.

Apparently a baby born in Manchester is twice as liable to die before it reaches its first birthday anniversary as is a baby born in Portsmouth, Lebanon or Keene. Somersworth, with a population of only about 6,700, has a rate exceeded only by the two largest places in the state, and more than once and a half as high as that of Concord with three times as large a population.

The cities which make a good showing are to be congratulated and especially the babies who are born in these places are to be congratulated, but judged by the foreign cities mentioned earlier in this report or even by what the great and overcrowded city of New York has accomplished, these rates still are seen to be excessively high. For example, in 1913, only two of this whole list of cities and towns made as good a record as did the city of New York for the same year. It has been truly observed that "Public health is purchasable; within natural limitations a community can determine its own death rate." Some one has remarked: "The business of being a baby must be classified as an extra-hazardous occupation." That being a baby is a dangerous business, is seen when we consider that the chances in a fairly healthful city (with a rate, say, of 125), of a baby surviving its first year are hardly as good as those of a typhoid patient surviving his illness, while in a very unhealthful city the average baby's chances are not more than one-half as good as those of the typhoid patient. This is



assuming an average mortality for typhoid of about ten per cent of the cases.

It has already been pointed out that birth registration is by no means complete in New Hampshire (nor indeed in most other places in America). It should be noted in connection with this table that the larger the number of unregistered births, the higher will a city's infant death rate appear to be; for if only a portion of the births are reported it is clear that the ratio of deaths to births will figure out higher than it really is. Thus cities and towns which are careless about the registration of births are in a fair way to give themselves a bad reputation when infant death rates are compared city by city.

In connection with the infant mortality rate of the city of Manchester, which is, naturally enough, the highest in the state, a more detailed study of congested and uncongested districts was undertaken. For this purpose the city was divided into two parts, first, a group of somewhat scattered, crowded districts near the center of the city, and second, all the remainder of Manchester. In the first of these divisions is included a district east of the river extending north and south, roughly from Myrtle Street to Summer Street, and east and west from Elm Street about four blocks eastward; on the west side of the river it includes a district quite irregular in shape which is bounded in part by McGregor, Main, Turner, Goffe, South Main, Granite, Montgomery, and Gates Streets, and from Gates Street north, a strip one or two blocks wide to the west of Main Street. Altogether this division of the city does not include an area of more than one-half to two-thirds of a square mile, yet in 1913 forty-five per cent of all the births in the city took place in this area. As would naturally be anticipated the infant mortality rate in this crowded section was materially higher than in other sections of the city; while 240 per 1,000 of the babies, or practically one-fourth of them died in this area, only 167 per 1,000 or one-sixth died in the remainder of the city. Probably in favored residence

districts not over an eighth or a tenth of the babies die, but as to that there are no figures available. If it were not for such good work as that being done by the Infant Aid Association which deserves the highest praise, it is probable that these crowded, disadvantaged sections of the city would suffer an even more unfavorable comparison.

It has not been possible for this Commission to make a detailed study of the circumstances responsible for the high death rate among babies in Manchester, nor was this necessary, for the Children's Bureau of the Federal Department of Labor at Washington has just completed an exhaustive study of between 1,600 and 1,700 babies born in Manchester during the past twelve months. When the report embodying this and similar studies of certain other cities is published a great deal of valuable information will be available.

#### *IV. Recommendations for Improvement.*

1. *Birth Registration.* It cannot be repeated too often that birth registration is fundamental to reductions in the infant mortality rate. Let us notice what improvements are possible at this point. For the present the wisest policy is probably a strict enforcement of the existing law requiring the filing of the birth certificate within six days; the next step, however, should be the reduction of the time allowed to forty-eight hours, for it is only when knowledge of births comes promptly to the hygienic headquarters of a community that adequate efforts can be put forth by visiting nurse or other public health agent.

As to the means by which strict enforcement of the law may be secured, a couple of suggestions from Dr. Wm. C. Woodward, Health Officer of the District of Columbia, are very pertinent: 1. "By systematically checking reported deaths of children under any given age, say one year, with the record of births and calling to account those persons, if any, found responsible for failing to report such births as are found unrecorded." 2. "By sending to all parents to

whom a birth is reported a certificate attesting the registration of the birth, thus teaching such parents, and through them their relatives and friends, to look for such a certificate after every such event." (Proc. A. A. Study and Prevention Infant Mortality, 1913, pp. 296-7.)

These are excellent suggestions; to put them into effect over the whole state would no doubt require additional legislation to compel such checking and such notification of parents, and conferring power upon the State Registrar or the State Board of Health to enforce the requirement. If a few communities in the state, however, would volunteer to use these two methods for a year, it is the opinion of the writer that the demonstration of results would win sufficient support to enact the idea into law.

If the present law requiring the reporting of births *within six days*, which has been flagrantly disregarded by a few physicians, and for the most part without much fear of prosecution, if this provision were adequately enforced by the State Registrar of Vital Statistics, who is charged with this duty by law, then it would be no hardship for any city or town clerk to check up births and infant deaths systematically. Returns would then come in promptly, and only occasionally would cases occur where death certificates would be turned in for babies whose births had not been recorded, and it would be an easy matter to ascertain why there had been no report.

Sending a certificate to parents to attest the registration of the birth would cost only a trifle in comparison with the good which it would accomplish, for some of the essentials of the care of infants could be printed upon the back of the certificate, where they would be read by over two thousand mothers of new-born babies every year in the city of Manchester alone. In places like Manchester these certificates should be printed in several languages. This method is infinitely better than the publication of registered births in the newspapers, for the parents may never know of such publication and are only affected by it in many cases through

the receipt of quantities of advertisements of more or less undesirable infant foods, whose proprietors or distributors are quick to make use of such lists.

Such a certificate might read somewhat as follows:

*"This is to certify*

that in the public records of the city (or town) of (Name of city or town) in the office of the City (or Town) Clerk, there was duly recorded on (date of record) by (name of physician or other person) the birth of (Name of child) on (date of birth) to (Names of parents). Signed, (.....), City (or Town) Clerk."

Underneath there might be printed: "This certificate assures both child and parents legal proof of the child's age and nativity, which have oftentimes to be established before courts of law or public officials in order to enter upon the possession of property or to enjoy the ordinary rights of citizens. Preserve this certificate carefully, but if it should be lost remember that the public records are still safe and at your service."

2. *Statistics Dealing With Infant Mortality.* It would prove helpful in conserving the young life of the state if the State Registrar would introduce into his Biennial Registration Reports a table for each year giving the Infant Mortality Rate (number of deaths of infants under one year per 1,000 living births) for each of the principal cities of the state, for the state as a whole, for the smaller villages taken collectively, and for the rural section of the state (towns of less than 2,500), taken collectively. Such a table would enable physicians and other citizens devoted to the physical well-being of our people to note the progress made from year to year in the various parts of the state.

3. *Midwives.* No recommendation for legislative action is made with regard to midwives at this time. Fortunately they play only a relatively small part in cases of childbirth in New Hampshire. In Manchester, for example, in 1912

but 4.3% of the total births were delivered by midwives. (Dr. H. W. N. Bennett in Proc. A. A. Study and Prevention Infant Mortality, 1913: pp. 235-6.) In many American cities one-half of the births are attended by midwives, and in Chicago approximately eighty per cent. (Mangold: Problems of Child Welfare, p. 111.) New Hampshire is fortunate in this situation, for the ignorance of many midwives is a serious obstacle to enlightened work for mothers and babies.

It will probably prove advisable before long to forbid midwives to practice in this state without registering with the local authorities and receiving a license, simply as an aid in checking births and in controlling the situation. It is to be hoped that the growth of district nursing and a reduction of the expense to patients in the maternity wards of hospitals may make it possible for all mothers, even the poorest, to have thoroughly modern and scientific treatment; this should in time eliminate the traditional midwife from the situation altogether.

4. *Illegitimacy.* Officers of the New Hampshire Children's Aid and Protective Society have brought to the attention of this Commission a problem connected with illegitimacy which deserves consideration. It appears that in many cases of illegitimacy the birth certificate contains no clue to that fact, so that there is no assurance that the public records contain reliable information on this subject. At the present time, therefore, it is impossible to more than guess at the extent of this evil. The records are still further impaired by uncertainty as to the filing of the birth, the names of the parents being different, and the birth being recorded sometimes under one name and sometimes under the other. Illegitimate births should be indicated as such on the certificate, and the record should be filed under the names of both parents where both are known.

5. *Restrictions Upon the Employment of Mothers.* In some places laws have been enacted forbidding the employment of women in industry for a period of from four



to six weeks after childbirth. While it is most essential that mothers should have rest and the opportunity to care for their babies at home for as long a period as possible, it is not thought wise to recommend any legislation on this subject at the present time. It is believed that not so much by legislation as by education can the evils of a premature resumption of employment be prevented.

It is to be hoped that the extension of district nursing and the general spread of hygienic knowledge among the people will lead employers and working mothers to coöperate in making the period of rest at home as long as necessary in every case. Mothers should be encouraged to nurse their babies, and upon their return to the mill or factory the employer can do much for the life of the young infant by providing a suitable place where nursing babies may be kept during the day and visited by their mothers for a few minutes at intervals of two or three hours. In some industries lighter work than usual should be provided for mothers who are nursing infants, or permission should be granted to work a shorter day. Wherever intelligent industrial coöperation in the spirit of mutual goodwill can be made to take the place of compulsory legislation, a distinct gain to the community results.

## FEEBLE-MINDEDNESS IN NEW HAMPSHIRE.

BY LILIAN C. STREETER.

LV-14

When the Commission first began its study of child-welfare conditions in New Hampshire the situation in regard to the feeble-minded was found to be so serious that it was decided almost immediately to make a special study of its extent throughout the state. Whichever one of the various questions directed by the statute were studied, all research came back eventually to feeble-mindedness as either a direct or indirect cause.

It seemed imperative, therefore, to make as thorough a study as possible of this fundamental problem and, as a beginning, great as the task would be, it was decided in the autumn of 1913 to attempt to make a census of the total number of feeble-minded children and adults in New Hampshire, both in institutions and at large throughout the state. For until the extent of the problem was known, no intelligent action could be taken toward solving it.

The results of this study are set forth in this report. It is, so far as we know, pioneer work. To the best of our knowledge no other state has yet made a comprehensive survey of her whole area in search of the feeble-minded, though several states have made limited surveys. The usual method has been to estimate the total number of feeble-minded in the state, basing the figures upon the number found in a single section. Massachusetts, for instance, made an intensive study of a single county a short time ago. The fact, however, that New Hampshire is relatively so small a state, and so thinly populated, made it easier to attempt a thorough investigation, than would be possible in a state of larger area and more densely populated.

It is four years since the General Assembly of Virginia adopted a resolution directing the Secretary of the State Board of Charities and Corrections to "investigate the question of the weak-minded in the State of Virginia, otherwise



than insane and epileptic, and report to the next session of the General Assembly their number, location, degree of deficiency and such other pertinent facts deemed by him proper, together with his recommendations covering the same." Ever since that time Virginia has been prosecuting the work with great energy and effectiveness, and the annual reports of their State Board of Charities are exceedingly helpful and suggestive. They have applied the Binet tests to a large number of institution children, and have made a special study of feeble-mindedness in the public schools of Richmond.

Though our figures will, no doubt, seem startling to the great majority of people in the state, the Commission wishes to emphasize strongly the fact that it is not probable that conditions are any worse here than in other states. They are simply better known. The Commission also wishes to emphasize strongly the fact that their figures, so far as they go, underestimate rather than overestimate the situation. They have erred, if at all, on the side of conservatism. In making out the card record of the 2,019 cases found at large in the state, every doubtful case has been thrown out, and the fact that these cases have been compiled from what might be termed social evidence, whereas the 947 institutional cases have been determined by the scientific Binet tests, is proof in itself that there must be a great many more of the high-grade cases at large in the state than we have been able to discover. (The distinction between the obviously feeble-minded, and the high-grade moron, is pointed out later in this report. (Pp. 78-80.) But careful as our study has been, we only claim that our results approximate the total number of the feeble-minded in the state. The only way to arrive at an absolutely correct census of the feeble-minded in New Hampshire, would be by making a house-to-house canvass, and by applying the Binet tests to all doubtful cases, and all the school children in the state,—a manifestly impossible task. Were the Commission to make another study of the feeble-minded, however, they

would test the school children in a few typical communities—a residential city, a manufacturing city, and a large town, for instance—taking at least three grades in each, and would also test the children in several one-room, rural schools in different parts of the state, and from the results obtained, estimate the percentage of feeble-mindedness in the schools, a subject we have not touched upon in this report. Considering, however, the limitations of time, and money, and experience, under which the Commission has labored, it feels that it has accomplished all that could reasonably be expected of it.

The Commission must also positively disclaim any idea of casting discredit upon the state by publishing these figures in regard to the feeble-minded. On the contrary it feels that **their report should cast credit**, instead of discredit upon New Hampshire, because it puts her in the van of all the states in the Union in first making a thorough investigation covering the whole state, of this most serious problem, and thereby makes it possible for her to take intelligent preventive and protective measures at once. The Commission feels very sure that when once the Governor and Legislature realize how serious the problem of our feeble-minded already is, and how rapidly the number of feeble-minded in the state is increasing, they will feel the vital necessity of immediate action.

The following table showing the rate of increase in feeble-mindedness in the United States during the last thirty years, based on the United States Census reports, is certainly suggestive:

Date.	1880	1890	1900	1910
No. of feeble-minded ...	76,895	95,571	x	150,000
No. to 1,000,000 . . . . .	1,533	1,536	x	1,606
No. in institutions . . . . .	2,472	6,103	10,217	20,669

"Furthermore, these dates show how inaccurate our information is concerning this important problem. The number of feeble-minded in 1910 is only estimated, although the United States Bureau appointed a special commission to ascertain this fact. This commission found the records giving the total number of feeble-minded in this country so defective that they were compelled to give up their first plan and confine their efforts to ascertaining the number of feeble-minded in institutions."\*

In planning a state-wide survey of the feeble-minded in New Hampshire, the work fell naturally into two divisions, the study of all the cases in institutions, and a general study of the state at large. For the institutions, in order to determine the number of feeble-minded they were sheltering with scientific accuracy, it was decided to apply the Binet-Simon Measuring Scale of Intelligence to all the children in the eighteen different orphanages of the state, and the State Industrial School. As New Hampshire stands second in the Union in the number of children in institutions in proportion to her total population, these tests cover a sufficiently large number of children to make them extremely valuable and significant.

The other institutions sheltering feeble-minded are the State School for Feeble-minded at Laconia, the State Hospital in Concord, and the ten county almshouses of the state. The State School for Feeble-minded at Laconia and the State Hospital at Concord had already tested their inmates, and gave the Commission carefully classified reports. The inmates of the ten county farms were not tested, as their population is chiefly adult, but a personal study of each almshouse was made as a part of the state field work, and the mental status of the inmates determined only after going carefully over the history of each case with the superintendent and matron.

To determine the number of feeble-minded in the state,

(\*Vid. Fifth Annual Report, Virginia State Board of Charities, p. 22.)

outside of institutions, it was decided to send out questionnaires to all the school superintendents and chairmen of school boards, physicians, overseers of the poor, county commissioners, probation and truant officers, district nurses and charity workers throughout the state, making inquiries as to the number and grade of the feeble-minded, in every town in the state. This was all the Commission expected at first to be able to do in their canvass of the state at large, on account of their limited funds. Indeed it was thought that all the research must be prosecuted by members of the Commission alone, except for volunteer assistance. In giving the Binet tests to the children in institutions both Dr. Bancroft of the State Hospital, and Dr. Baker of the State School for Feeble-minded, gave most cordial volunteer assistance, and the first testing was begun in February at the Orphans' Home in Concord by Dr. Dolloff, Dr. Bancroft's assistant, while Dr. Baker gave the services of his assistants, Miss Richards and Miss Patterson, to begin the testing of the children in the New Hampshire Orphans' Home in Franklin. Miss Flanders and Miss Jenness also gave volunteer assistance in Rochester and Dover. As the work progressed, however, it was realized that the undertaking, both in institutions and the state at large, was far too great to be attempted without the assistance of a trained worker whose time could be given exclusively to the work. The expense of this worker having been assured in April from a private source, Miss Isabelle Kendig of Chicago was engaged as a special field worker for the Commission in their study of feeble-mindedness, and began her work May 18th. She finished December 4th.

As the work of applying the Binet tests to children in institutions went on, its magnitude was more keenly realized every day and the great importance of having it done by the most highly trained and experienced workers possible, in order that the significant results shown might not be questioned by any one. Accordingly the Commission felt itself very fortunate in being able to secure in September Miss

Alice C. Hinckley of New York, formerly psychologist at the New York Clearing House for Mental Defectives, who spent two months in the state completing the giving of the Binet tests, and preparing the orphanage and Industrial School tables. In all 1,395 children were tested, of whom Miss Hinckley tested 550, Miss Richards of the State School for Feeble-minded 329, Miss Kendig 171, Miss Patterson of the State School for Feeble-minded 147 (the children at the State Industrial School), Miss Flanders 125, Dr. Dolloff of the State Hospital 38, and Miss Jenness 35.

In prosecuting the study of feeble-mindedness throughout the state at large, which was done by Miss Kendig, 1,500 questionnaires were sent out, as above noted, to physicians, overseers of the poor, county commissioners, chairmen of school boards, school superintendents, probation and truant officers, district nurses and social workers, and as replies did not come in very fully, on August 1st, 1,200 more were sent out to those who did not respond to the first appeal. In all nearly fifty per cent of the people addressed responded, and reported a total of 792 cases. Copies of the questionnaire and letter sent out will be found in the appendix. Pp. 134, 135.

On August 1st Miss Kendig began her field work throughout the state, to supplement the data returned on the questionnaires. A flexible program was mapped out, allowing for a week of intensive study of each county, varying though to some extent, with the size of the county. Usually the county almshouse was visited first, and conference held with the county commissioners, after which in the light of the information so obtained, work was pushed out into the more remote districts. In each case it was endeavored to study the county evenly, visiting a typical agricultural town, a typical manufacturing town, a typical lumbering town, prosperous communities and remote rural districts. In this way it was hoped to obtain a fair idea of the extent of feeble-mindedness throughout the state as a whole. In all, fifty-two representative towns were visited in the ten counties, and prac-



tically complete census returns obtained, besides finding many additional cases from adjacent towns. In this personal canvass it was the doctors, and the school and town officials who were relied upon to furnish the necessary information. On every case reported the judgment of several people was sought. In this way the evidence was sifted several times, and the figures given are vouched for. Any case in the least doubtful has been thrown out, and, as stated before, if the Commission has erred it has been uniformly on the side of conservatism.

This state canvass brought up the total of reported cases outside institutions from 792 to 2,019. (Vid. Table IX, p. 90.) While it is possible that an accurate house-to-house survey of one county might show approximately the same percentage of feeble-minded as this study of the entire state, by thus going all over the state, results are shown in both thickly and thinly settled districts, in both rural and urban communities, and the investigation as a whole is far more accurate and comprehensive than if applied to only one section. The study has covered every one of the 235 towns of the state, either by questionnaire or personal visit, and the results are set forth in Table IX. The basis of this table is a series of tables showing results obtained in each one of the 235 towns. These tables, for obvious reasons, are not printed, but are preserved in the files of the Commission.

Very few towns in the state are free from the taint of feeble-mindedness. Every orphanage in the state but two numbers some feeble-minded children among its inmates, and the significant fact that out of 147 children tested at the State Industrial School only three were found normal, should prove to even the most thoughtless observer the direct relation of feeble-mindedness to crime.

Before going on to give the detailed results of our canvass a full statement regarding feeble-mindedness as at present understood must be given. Tremendous advances in the study of the feeble-minded have been made during the last decade.

Dr. Fernald says, "Feeble-mindedness has become a subject of vital and pressing significance to physicians, teachers, court officials, social workers and legislators. The subject is being studied from medical, biological, pedagogical, psychological, sociological, economic and eugenic points of view. The field of mental defect has been so broadened and extended as to include large groups of persons who would not have been so included even a decade ago. Naturally this extension has been almost entirely in the higher grades of defect." The great majority of people, however, still think of the feeble-minded as those only who are obviously deficient even to the most casual observer, the idiot and imbecile class. The fact that this class forms only a very small proportion of the really feeble-minded population seems incredible to the average person, who has ordinarily given the matter no especial thought or study. It is, however, a scientifically proved fact. The universally accepted definition of feeble-mindedness is that formulated by the Royal College of Physicians of London." "Feeble-mindedness may be defined as a state of mental defect from birth or from an early age, due to incomplete cerebral development, in consequence of which the person affected is unable to perform his duties as a member of society in the position of life to which he is born." The high-grade, feeble-minded person or moron is defined as "one who is capable of earning a living under favorable circumstances, but is incapable, from mental defect existing from birth or from an early age, (a) of competing on equal terms with his normal fellows, or (b) of managing himself and his affairs with ordinary prudence."

Dr. Goddard says, "Our answer to the question 'who is feeble-minded?' reduces itself to this: every person who is incapable of competing on equal terms in the struggle for existence, or is incapable of managing his own affairs with ordinary prudence, is possibly a feeble-minded person, and it is probably safe to say that unless we can demonstrate that there is some other adequate reason for his incapacity, it is correct to regard him as a feeble-minded person and to treat him accordingly."



In the questionnaires sent out by the Children's Commission, in their endeavor to discover the approximate extent of feeble-mindedness throughout New Hampshire, feeble-mindedness was defined as follows: "The term 'feeble-minded' is used to cover both idiots and imbeciles, idiocy denoting extreme stupidity; imbecility indicating a lesser degree of mental incapacity. The idiot is a feeble-minded person who is able to give little or no care to his person, and who is incapable of work, or who is able to work only under supervision and direction. The imbecile, on the contrary, is capable of caring for his person, and of doing certain kinds of work without supervision, but is incapable of earning his own living. The high-grade imbecile, now known as the moron, is one who can do fairly complicated work without supervision, but who can not plan, who lacks ordinary prudence, who can not resist the temptations that are common to humanity. The high-grade imbecile or moron is most dangerous because, except to the expert, he is apparently not feeble-minded, and is, therefore, usually treated as normal, and permitted to multiply his kind, and to corrupt the community."

In making the study of the feeble-minded who are at large in the state, any child has been considered feeble-minded who is three years or more retarded in intelligence. Such retardation could be determined accurately for all institutional cases by the use of the Binet Simon Measuring Scale. In studying the outside cases great care was used in differentiating such retardation in school work from retardation in native intelligence. The school grade is not always a safe index of intelligence, since irregular attendance, illness or language difficulties (due to foreign birth or parentage) may account for apparent backwardness. Any adult has been considered feeble-minded who has been found to have less intelligence than a normal child of 12. Here again an attempt has been made to distinguish between the barriers imposed by ignorance, lack of opportunity, or such acquired habits as alcoholism, and innate defects, and lack of capacity.

Only the latter cases warrant the use of the term "feeble-minded." Where such distinctions were difficult to make, the doubtful case has been excluded. In further grading the feeble-minded, two terms have been used, high grade and low grade. The former applies to the class now generally known as "morons," those whose mentality is higher than that of a child of eight but under that of the normal child of twelve. Here it is necessary to remember that an adult with the mentality of a child of ten is not wholly comparable to that child. Having lived on that plane of intelligence for ten or twenty years, he will know more than the child, but it will all be on the same mental level. Beyond that he cannot rise. Low grade cases fall within the imbecile or idiot classes and comprise those individuals who have less intelligence than a normal child of eight. The idiot, like the child of three years or under, usually cannot walk or talk, or only imperfectly, and requires as much care as a baby. The imbecile on the other hand is capable of caring for his person, and the high-grade imbecile can frequently be taught to read and help with work, under supervision, like a child of six or seven.

To quote again from Dr. Goddard, from a paper entitled "Who is mentally defective, How many are there, and How can they be detected?" he says: "Every one knows how to recognize the idiot and the low-grade imbecile. They show it in their faces; they show it in their talk if they talk at all, and in many other ways the condition is manifest. But the real problem comes when we consider the high-grade imbecile and the moron; these people that, to the casual observer, are like the rest of us but who, if allowed to go on and attempt to take their places in the world, soon show that they are incapable of competing on equal terms, and are incapable of managing their own affairs with ordinary prudence. As yet we have done very little toward detecting these people, except by the cumbersome method of experiment; that is to say, we have allowed them to go on and try to take their places in the world and when they have failed

we have of late been asking the question, 'Are they feeble-minded?' and we are learning that it must many times be answered in the affirmative. But such a procedure is wasteful, unjust and cruel, and we must have something better. It is of the utmost importance that these defectives be recognized early before they have made shipwreck of life, before they have become a menace to society and have done the damage which they surely will do if they are not protected and cared for. As already stated, we have now learned that this condition does not manifest itself in the bodily condition, at least not to any degree that can be recognized easily. It remains then to discover some method of detecting the quality of the mentality in these cases, and of detecting it early. Thanks to the work of the Child Study people, and the child psychologists, we now know fairly well what is the normal rate of development in childhood, and what mental processes are ripe at the various years of life, and thanks to the great work of Professor Binet, we now have a method of determining the condition of any particular child in relation to this standard, by the Binet-Simon Measuring Scale of Intelligence, which is eminently satisfactory in the hands of one who understands its use. In certain doubtful and border-line cases one's judgment of an individual may be confirmed by certain other tests, but in most cases the Binet scale itself is ample for the purpose. While some people object to the scale, the objections are theoretical, and hundreds of users the country over are daily demonstrating its practical value in the solution of this problem, and so far as the writer knows there is no one who has used it enough to become expert with it who is not enthusiastic in its support. The universal comment is, 'the more I use it the more wonderful I find it.'

"So rapidly has this conviction spread, and so widely has it extended, that now those who are familiar with the tests have become so entirely confident of their supreme merits, that the criticisms that from time to time appear only arouse a smile and a feeling akin to that which the physi-

cian would have for one who should launch a tirade against the value of a clinical thermometer." And he sums up as follows:

"1. Vast numbers of people whom we have heretofore thought vicious or ignorant are actually mentally defective, and can not do better than they do.

"2. The proportion of these people in the population is so large as to constitute a most serious problem in our social life.

"3. If we recognize the situation and admit the facts we can thoroughly and easily detect these cases in early childhood, and then by a proper treatment reduce to a minimum the seriousness of the problem."

As the Commission was authorized primarily to investigate conditions pertaining to child welfare, fuller information was sought in regard to feeble-minded children than adults, and the questionnaires called for data on birth-place, nationality of parents, heredity, etc., in the children's cases, while asking only for degree of deficiency in the adult. The canvass of 52 towns, however, brought out a great mass of significant information concerning adults as well. Careful analysis has been made of all the children's cases, whether obtained by canvass or questionnaire, and of the adult cases obtained by canvass, as well as an analysis of age, sex, and mental grade of the grand total of reported cases.

## ANALYSIS OF RESULTS.

*Institutional Cases.*

Tables I to VIII cover the feeble-minded in institutions throughout the state. Table I shows the number of children in orphans' homes in the state by mental grade and sex.\*

TABLE I

Showing Number of Children in Orphanages by Mental Grade and Sex.

Institutions	Girls				Boys				Both Sexes			
	Normal	Backw'd	F. M.	Total	Normal	Backw'd	F. M.	Total	Normal	Backw'd	F. M.	Total in Institution
A	6		1	7	12	1		13	18	1	1	20
B	2			2	7	1		8	9	1		10
C	21	2	2	25	20	1		21	41	3	2	46
D	6			6	7	2		9	13	2		15
E	5		1	6	6	2		8	11	2	1	14
F	12	3		15	15	4	1	20	27	7	1	35
G	15	2	3	20					15	2	3	20
H	12	2	2	16	8	3	1	12	20	5	3	28
I	42	11	7	60	46	12	7	65	88	23	14	125
J	13	4	3	20	12	1	5	18	25	5	8	38
K	35	27	27	89	50	18	14	82	85	45	41	171
L					56	36	32	124	56	36	32	124
M	7	5	6	18					7	5	6	18
N	12	33	5	50	25	25		50	37	58	5	100
O	14	12	23	49	44	28	36	108	58	40	59	157
P	33	51	12	96					33	51	12	96
Q	41	31	51	123					41	31	51	123
R					26	59	23	108	26	59	23	108
	276	183	143	602	334	193	119	646	610	376	262	1248

The fact that out of the 1,248 children tested 262 were found to be feeble-minded is significant in showing that there are more feeble-minded children in the different

\*According to the report of the State Board of Charities there were on the fixed date of August 31, 1914, 1,352 children in the eighteen orphanages of the state. The figures of the Children's Commission must of necessity differ somewhat from these figures, as their investigations cover a period from February to November, 1914, during which time, of course, the population of the orphanages varied more or less. There were also a few in the different orphanages too young to be tested. The investigations of the Commission, therefore, cover but 1,248 children in the eighteen different orphanages; as shown by Table I.

orphanages in the state than in the State School for Feeble-minded at Laconia, which accommodates only 185.

Table II shows the percentage of normal, backward and feeble-minded children in each orphanage separately, beginning with those having the largest percentage of normal children.

TABLE II.  
SHOWING PERCENTAGES OF NORMAL BACKWARD AND FEEBLE-MINDED CHILDREN IN THE ORPHANAGES IN DETAIL IN THE ORDER OF THEIR NORMAL PERCENTAGE.

Institution	Percent Normal	Percent Backward	Percent Feeble-minded	Total No. of Children Tested
A	90	5	5	20
B	90	10	0	10
C	89.1	6.5	4.3	46
D	86.6	13.3	0	15
E	78.6	14.3	7.1	14
F	77	20	3	35
G	75	10	15	20
H	71.5	17.8	10.7	28
I	70.4	18.4	11.2	125
J	65.7	13.1	21.1	38
K	49.7	26.3	23.9	171
L	45.2	29	25.8	124
M	38.9	27.8	33.3	18
N	37	58	5	100
O	36.7	25.5	37.6	157
P	34.4	53.1	12.5	96
Q	33.3	25.2	41.5	123
R	24.1	54.6	21.2	108
				1,248

It will be noted that only one institution of over 100 children has as many as one half of its children normal, and the percentage of feeble-mindedness it will be seen, runs much higher in the large than in the small institutions.



Table III gives the summaries for the state of normal, backward and feeble-minded children in orphanages.

TABLE III  
NUMBER AND PERCENTAGE OF NORMAL, BACKWARD AND FEEBLE-MINDED CHILDREN IN THE ORPHANAGES OF THE STATE

Mental Grade	Numbers			Percentages		
	Boys	Girls	Total	Boys	Girls	Total
Normal	334	276	610	52	46	49
Backward	193	183	376	30	30	30
Feeble-minded	119	143	262	18	24	21
	646	602	1,248	100	100	100

It thus appears that 48% of the boys and 54% of the girls in the orphanages of the state, taken collectively, are either backward or feeble-minded. The feeble-minded alone constitute slightly more than one-fifth of the total number of children, while the backward are somewhat less than one-third of the total.

Table IV classifies the Industrial School children by sex and mental grade, and Table V classifies them by age, in addition to sex and mental grade.

TABLE IV  
SHOWING NUMBERS OF CHILDREN AT STATE INDUSTRIAL SCHOOL  
MANCHESTER, BY MENTAL GRADE AND SEX

	Girls	Boys	Both	Percentages		
				Girls	Boys	Both
Normal		3	3	0	3	2
Backward	1	23	24	15	21	20
Feeble-minded	33	87	120	85	76	78
Totals	34	113	147	100	100	100



TABLE V.  
SHOWING AGE, SEX AND MENTAL GRADE OF CHILDREN AT STATE INDUSTRIAL SCHOOL.

MENTAL AGE OF BOYS UNDER 13 YEARS.		MENTAL AGE OF THOSE 13 YEARS AND OVER.			SUMMARY.		
At age or 1 year below .....		Boys.	Girls.	Both	Normal .....		
3						3	
2 years below.....	7	11 to 12	16	1	17	Backward .....	24
3 years below.....	5	10 to 11	38	15	48	Feeble-minded ..	120
4 years below.....	2	9 to 10	33	13	46		
6 years below.....	1	8 to 9	6	2	8		
		7 to 8	2	3	5		
	18		95	34	129	Total examined..	147

The fact that there are eighteen boys in the Industrial School under thirteen years of age is in itself a stern indictment of present-day methods. These tables prove conclusively that the boys and girls who go wrong are foredoomed to such a course by lack of normal endowment. This basic fact once recognized should necessitate a change in our whole method of dealing with such offenders.

Table VI shows the proportion of feeble-minded among the county farm residents by mental grade and sex.

As before stated, the county farm problem is a very serious one. Though our almshouses are primarily intended for the self-respecting aged and infirm poor, the proportion of this class is very small in comparison with the number of prisoners, drunkards, feeble-minded and shiftless who crowd their doors. Some inmates are mildly insane, some epileptic, some feeble-minded.

The most serious aspect of the feeble-minded problem is the feeble-minded girl or woman who goes to the county farm pregnant, is cared for there until her baby is born, and is then relieved of any further sense of personal responsibility when her baby is placed for her in some private family or orphanage, and she is allowed to return to the outside world to repeat the same experience in another year or two. This situation throws considerable light, beyond a doubt, upon the large percentage of feeble-mindedness found in the

TABLE VI.  
SHOWING NUMBER OF FEEBLE-MINDED IN COUNTY FARMS BY MENTAL GRADE AND SEX.

COUNTY FARMS.	NO. OF INMATES.	FEEBLE-MINDED UNDER 21 YRS.						FEEBLE-MINDED OVER 21 YRS.						ALL CASES.	PER CENT OF INMATES FEEBLE-MINDED.
		Boys.		Girls.		Total.	Women 21-45 yrs.		Women over 45yrs.		Men over 21 yrs.		Total.		
		High Grade.	Low Grade.	High Grade.	Low Grade.		High Grade.	Low Grade.	High Grade.	Low Grade.					
Rockingham.....	92	2	.....	1	.....	3	4	1	5	1	12	5	28	31	33.5
Strafford.....	116	.....	.....	2	1	3	3	2	1	4	3	2	15	18	15.5
Belknap.....	56	.....	.....	.....	.....	.....	5	3	4	2	1	4	19	19	33.9
Carroll.....	43	.....	1	.....	.....	1	1	2	2	6	7	1	19	20	46.5
Merrimack.....	84	.....	.....	1	.....	1	4	3	2	3	1	3	16	17	20.2
Hillsborough.....	314	.....	5	3	4	12	5	12	1	8	18	22	66	78	24.8
Cheshire.....	72	.....	.....	1	1	2	6	.....	5	2	6	3	22	24	33.3
Sullivan.....	44	.....	1	2	.....	3	2	2	6	4	4	4	22	25	56.8
Grafton.....	65	.....	.....	.....	.....	.....	5	3	1	6	1	9	25	25	38.4
Cooks.....	60	.....	.....	1	1	2	6	2	.....	4	3	1	16	18	30.0
Totals.....	946	2	7	11	7	27	41	30	27	40	56	54	248	275	29.0

orphanages. At least twenty-five per cent. of the women now in the county farms have had illegitimate children. Not only is there no efficient control over these women, but no record is kept of their children, and no effort made to determine their mentality, or guard them from a similar fate.

Many of our almshouses have records showing generation after generation of the same feeble-minded family cared for. One county farm has never been without members of a certain family since it was opened in 1870. Another was sheltering four generations of the same family, at the same time, when visited a few years ago. Another now has three generations of the same family. Had there only been time histories of pauperism, crime, and feeble-mindedness rivaling those of the Jukes' and Kallikaks' could have been written from more than one of New Hampshire's county-farm families.

Table VII classifies the feeble-minded at the State School for the Feeble-minded by age, sex and mental grade.

TABLE VII.  
SHOWING FEEBLE-MINDED AT STATE SCHOOL FOR FEEBLE-MINDED  
BY AGE, SEX AND MENTAL GRADE.

DEGREE OF DEFICIENCY.	FEEBLE-MINDED UNDER 21 YEARS.			FEEBLE-MINDED OVER 21 YEARS.				TOTAL OF ALL CASES.
	Boys.	Girls.	Total.	Women 21-45.	Women over 45.	Men over 21.	Total.	
High grade....	34	18	52	25	....	8	33	85
Low grade....	38	40	78	10	....	12	22	100
Totals .....	72	58	130	35	....	20	55	185

It is interesting to note that the girls and boys are so evenly divided at the State School for the Feeble-minded, and that there is so little difference in the numbers of high and low-grade cases. This is partly due to their limited

accommodations, and the necessity for filling vacancies from their long waiting list where they can most conveniently be accommodated. For instance, there might be ten girls awaiting admission and only three boys, but if the vacancy happened to occur in the boys' dormitory it is a boy who must be admitted, regardless of the urgency of the girls' needs.

Table VIII shows the feeble-minded at the State Hospital for Insane by age, sex and mental grade.

TABLE VIII.  
SHOWING FEEBLE-MINDED AT THE STATE HOSPITAL BY AGE, SEX  
AND MENTAL GRADE.

DEGREE OF DEFICIENCY.	FEEBLE-MINDED UNDER 21 YEARS.			FEEBLE-MINDED OVER 21 YEARS.				TOTAL OF ALL CASES.
	Boys.	Girls.	Total.	Women 21-45.	Women over 45.	Men over 21.	Total.	
High grade.....	1	1	2	4	1	3	8	10
Low grade.....	8	3	11	34	7	43	84	95
Totals .....	9	4	13	38	8	46	92	105

The fact that 105 feeble-minded are included among the inmates of the State Insane Hospital, shows great injustice both to the feeble-minded so cared for, and the hospital.

TABLE IX.

SHOWING NUMBER AND PERCENTAGE OF CASES OF FEEBLE-MINDED AT LARGE IN THE STATE, NOT CARED FOR IN ANY INSTITUTION, BY AGE, SEX AND MENTAL GRADE.

DEGREE OF DEFICIENCY.	NUMBERS.				PERCENTAGES.												
	FEEBLE-MINDED UNDER 21 YEARS.				FEEBLE-MINDED OVER 21 YEARS.				FEEBLE-MINDED OVER 21 YEARS.								
	Boys.	Girls.	Total.		Women 21-45.	45.	Men over 21.	Total.	Boys.	Girls.	Total.	Women 21-45.	45.	Men over 21.	Total.		
High grade.....	222	192	414		250	119	434	803	1,217	45.3	51.4	48	69.2	73.9	68.2	69.1	60.2
Low grade.....	172	123	295		92	36	182	310	605	35.2	32.9	34.2	25.4	22.3	28.3	26.7	29.9
Ungraded .....	94	58	152		19	6	20	45	197	2	....	....	....	....	....	....	9.7
Totals .....	488	373	861		361	161	636	1,158	2,019	24.1	18.4	42.6	17.8	7.9	31.5	57.3	

\*The cases tabulated present analysis of all cases reported up to December 1st. Since then 40 additional cases have been reported on belated questionnaires, too late to be incorporated in the tables.

*Cases at Large in the State.*

Table IX shows the total number, and the percentage, of feeble-minded in the state by age, sex and mental grade not cared for in any institution.

Table X, perhaps the most important in the whole series, shows the number of feeble-minded women of child-bearing age, both in institutions, and at large throughout the state.

TABLE X.

SHOWING FEEBLE-MINDED WOMEN OF CHILD-BEARING AGE IN INSTITUTIONS AND AT LARGE IN THE STATE.

	14 to 21 Years of Age.,	21 to 45 Years of Age.	Total.
Almshouses .....	....	71	71
State School for Feeble-minded....	43	35	78
State Hospital .....	7	38	45
At large in state.....	189	361	550
Totals .....	239	505	744

The number of 550 feeble-minded women of child-bearing age here shown at large in the state, large as it is, is probably much smaller than the whole number in the state, when we consider the difficulty of identifying the most dangerous class of all,—the high-grade imbeciles or morons. And when we realize that each one of these women is likely to give birth to several children, of whom the greater proportion, if not all, will also be feeble-minded, it must be a very short-sighted person indeed who can not see the imperative necessity of taking care of these women at once. *"Feeble-mindedness is hereditary. There has never been found a normal child both of whose parents are feeble-minded. The feeble-minded reproduce twice as rapidly as normal stock."*

Table XI is a summary of all the preceding tables, showing the grand total of all the reported feeble-minded in the state, whether in institutions or at large, classified by age, sex, and institution or county of residence.

\*The number of feeble-minded women under twenty-one years of age in almshouses is unknown but not large.



TABLE XI.  
SHOWING GENERAL SUMMARY OF ALL REPORTED FEEBLE-MINDED IN NEW HAMPSHIRE.

CLASSIFICATION BY AGE AND SEX.	INSTITUTION CASES.						CASES REPORTED OUTSIDE INSTITUTIONS.										BOTH.	
	School for Feeble-minded, Laconia.	State Hospital, Concord.	County Almshouses.	Orphanages.	Industrial School, Manchester.	Total of all Institutions Cases.	Rockingham County.	Strafford County.	Belknap County.	Carroll County.	Merrimack County.	Hillsborough County.	Cheshire County.	Sullivan County.	Gratton County.	Coos County.	Total of Cases Reported Outside Institutions.	Total of Cases Reported both in and outside Institutions.
Males under 21 years.....	72	9	9	119	87	296	61	19	35	33	80	105	22	27	58	48	488	784
Females under 21 years.....	58	4	18	143	33	256	33	22	19	42	61	66	28	23	40	39	373	629
Females 21 to 45 years.....	35	38	71	...	...	144	37	22	23	34	48	55	16	33	38	55	361	505
Females over 45 years.....	...	8	67	...	...	75	13	12	9	18	24	30	12	13	13	17	161	236
Males over 21 years.....	20	46	110	...	...	176	82	39	40	73	77	87	37	48	66	87	636	812
Totals .....	185	105	275	262	120	947	226	114	126	200	290	343	115	144	215	246	2,019	2,966



This table speaks for itself, a silent plea for help, and needs no comment.

Table XII shows the feeble-minded outside of institutions by counties, and also gives the basis for the estimate of the total number of feeble-minded in the state.

TABLE XII.  
SHOWING NUMBER AND PERCENTAGE OF FEEBLE-MINDED  
OUTSIDE OF INSTITUTIONS, BY COUNTIES.

COUNTIES.	Population.	Number of Feeble- Minded.	Per cent Feeble- Minded.
Carroll .....	16,316	200	1.2 %
Coos .....	30,753	246	.79%
Sullivan .....	19,339	144	.74%
Belknap .....	21,309	126	.59%
Merrimack .....	53,335	290	.54%
Grafton .....	41,652	215	.51%
Rockingham .....	52,188	226	.43%
Cheshire .....	30,659	115	.37%
Strafford .....	38,951	114	.29%
Hillsborough .....	126,072	343	.27%

Total population of the state 1910.....430,572

Recorded cases of feeble-mindedness in institutions 947

Recorded cases outside of institutions..... 2,019

Total ..... 2,966

or 68-100 of 1% of total population of the state.

Estimated feeble-minded at large ..... 3,168

Number in institutions..... 947

Estimated total feeble-minded population..... 4,115

95-100 of 1% of almost one in every hundred.

The estimate of total cases of feeble-mindedness in the state is based on the ratio of canvass returns to questionnaires returned in the fifty-two towns studied intensively. These towns showed only 350 feeble-minded in response to

the questionnaires, while the personal canvass revealed 1,391—almost four times as many. The total number of cases reported to the Commission by questionnaires was 792,\* which, multiplied by four, gives 3,168.

One of the most significant studies that can be made in the survey of these counties is the geographic distribution of the feeble-minded and the proportion of the entire state population that falls within this defective class. Since there has been a report from every town in the state, either by questionnaire or personal canvass, this proportion may be considered fairly correct even though many cases have not been reported.

One of the most significant revelations of this table is the range of feeble-mindedness gradually ascending from the smallest percentage, in the most populous county of the state, to the largest percentages, in the two most remote and thinly populated counties. It speaks volumes for the need of improving rural conditions, of bringing the people in the remote farm and hill districts into closer touch with the currents of healthy, active life in the great centers. It shows that a campaign should begin at once,—this very month,—for the improvement of rural living conditions, and especially for the improvement of the rural schools, so that the children now growing up may receive the education that is their birthright. Let us have compulsory supervision of schools all over the state, as well as compulsory school attendance. The Grange is probably doing more and better work toward improving rural conditions than any other social organization. Let us all take hold and help the Grange by subscriptions and moral support, even if we can not attend the meetings. The Women's Clubs have a tre-

\*The series of tables showing the result of the survey in detail in every town in the state, and the number reported both by questionnaires and personal canvass is not printed for obvious reasons, nor is the table giving detailed results of the fifty-two towns studied intensively, printed, but both are on file with the records of the Commission.

mendous opportunity before them in brightening and broadening the lives of the hard-working women on the lonely farms. Let them begin today to improve it to the utmost. And what shall we say of the church's mission—more significant and important than all the rest? Let us redouble our help for Home Missions and so make it possible to pay living salaries to the self-sacrificing clergymen who now labor so faithfully in these scattered, remote districts, often with hardly salary enough to provide the barest necessities of life.

The next two tables, XIII and XIV, give the analysis of returns in all the children's cases reported, a total of 861.\*

Table XIII gives the classification of cases by place of birth.

TABLE XIII.  
SHOWING CLASSIFICATION OF CHILDREN'S CASES BY  
PLACE OF BIRTH.

PLACE OF BIRTH AS REPORTED FOR ALL CASES UNDER 21 YEARS OLD.	No.	Per Cent.
Born in town of present residence.....	492	57.1
Born in some other town in New Hampshire	77	8.9
Born elsewhere in United States.....	32	3.7
Born outside of the United States.....	17	1.9
Birthplace not reported.....	243	28.4
Total .....	861	100%

The feeble-minded population of the state does not appear to be a shifting one. Of the 8.9% of cases born in New Hampshire, but outside the town of present residence, the majority were born within the county as well, often in an adjacent town, and the majority of those born in the United States, but outside of New Hampshire, were born in one of the other New England states.

Table XIV gives the classification of cases according to nationality of parents.

\*Vid. Table IX.

TABLE XIV.  
SHOWING CLASSIFICATION OF CHILDREN'S CASES BY  
NATIONALITY OF PARENTS.

NATIONALITY OF PARENTS.	No.	Per Cent.
American .....	530	61.5
French and French-Canadian.....	158	18.3
Irish .....	44	5.1
Canadian .....	19	2.2
German .....	10	1.1
All other nationalities.....	41	4.7
Nationality not reported.....	59	7.1
Total .....	861	100

The most significant showing of this table is the large majority of cases of native American stock. The forty-one miscellaneous cases tabulated contain English, Scotch, Italian, Polish, Swedish, Greek, Hebrew, Armenian, Finnish, Indian and Negro stock.

Replies to questions as to the causes of the feeble-mindedness reported were so few in number, and so unsatisfactory, that it was impossible to prepare a table of any value from them.

TABLE XV.  
SHOWING CIVIL STATUS OF 360 FEEBLE-MINDED WOMEN.

CIVIL STATE.	WOMEN 21-45.		WOMEN OVER 45.		TOTALS.	
	No. of Cases.	Per Cent.	No. of Cases.	Per Cent.	No. of Cases.	Per Cent.
Unmarried .....	33	13.4	9	7.8	42	11.6
Married .....	176	71.8	99	86.	275	76.4
Not reported.....	36	14.8	7	6.2	43	12
Totals .....	245	100	115	100	360	100

It is startling to see that 76.4 per cent. of the feeble-minded women are married. Of those who are not, many are immoral and engage in such promiscuous relations as to make them an element of even graver danger in the community. Of the 550 feeble-minded women reported at large in the state 7.5% are known to have had illegitimate children, and there is no doubt that many more cases remain unknown. The danger of allowing such women their liberty in the community is by no means confined to the consequent increase in illegitimacy. Far greater evils are the spread of disease for which they are responsible, and the character of their children, whether legitimate or not. At least eighteen per cent. of these women are known to have borne, and to be bearing, feeble-minded children.

An attempt was made to discover the prevalence of epilepsy among the feeble-minded, but only forty-eight cases were reported among the 861 children's cases, and only twenty-four among 762 adults, making the results obtained too trifling to be of any value.

Very pronounced physical degeneracy is frequently closely related to mental defectiveness. A number of cases of hare-lip, cleft palate, blindness, deaf-mutism and deformity have also been reported. They have not been tabulated, as less than one per cent. of each is reported. However, such defects exist in large number, and special inquiry on this

point would doubtless have elicited a much larger proportion.

Neither has any occupational tabulation been made. The high-grade male defective is usually an unskilled day laborer, doing chores on the farm, or working on the roads in the towns, or doing such odd jobs as window-washing or rug-beating. In a mill employing 788 men a very careful census was taken to determine the number of feeble-minded. Only three were found or  $4/100$  of one per cent. Thus the industrial population of the state appears to be of higher mentality than the general population, as was to have been expected, since much mill work demands skilled labor. It is among the day laborers, the casual workers, and the confirmed loafers that we find the adult feeble-minded males.

### *Recommendations.*

This completes our record of facts. Having found that we have upwards of 4,000 feeble-minded individuals in our state, of whom less than 1,000 are cared for in institutions, the next question which must inevitably spring to every one's lips is, What can be done about it? The whole purpose of this report will be nullified unless it results in some constructive action for the benefit of this most unfortunate class.

In considering what to recommend as to the care of the feeble-minded, advice has been sought from the best known experts in the country, including Dr. Walter E. Fernald, Dr. H. H. Goddard, Professor Johnstone and Mr. Alexander Johnson. Visits have also been made to the New Jersey Training School for Feeble-minded and the New Jersey Home for Feeble-minded Women, and the Massachusetts School for the Feeble-minded in Waverly, as well as to our own institution in Laconia, which we are happy to say ranks among the best in the country.

In the first place it is obvious that the feeble-minded child or adult must be taken care of somewhere, and that wher-



ever he is he is more or less of a burden and expense. It has been found, however, that when taken care of properly this burden and expense are reduced to a minimum.

Such men as Dr. Fernald and Dr. Goddard, who have given years of their lives to this work, and have made the most careful, scientific study of the problems of feeble-mindedness, agree in saying that it is not safe to turn the feeble-minded girl or boy loose upon the world, and Dr. Goddard says further in discussing what can be done with the feeble-minded child, "There are just three things that ~~are known about this particular girl it is girls of this~~ can be done. We can make him happy, we can make him somewhat useful, and we can make him safe." We must give up all idea of making the feeble-minded like normal children.

We do not know yet what is the very best thing to train the defectives to do, but we do know we must give them manual training in some form. The feeble-minded child can not deal with abstract matters, but he can be taught to do a great many things with his hands. In an institution wisely directed and supervised, a great proportion of the feeble-minded can be made happy, trained to be at least partially and in some cases entirely self-supporting, and can be made safe.

It is especially important that we guard the high-grade imbecile of the moron type carefully, for they are the most dangerous to the community, especially the high-grade, feeble-minded girls, who though they may look and appear well, and are often extremely attractive, are wholly unable to take care of themselves and resist temptation, or to meet the ordinary dangers of the world. Our records show that there are 550 of these women at large in the state, of whom 250 are of this high-grade class. It is from this class that the great number of feeble-minded in our institutions is recruited, this class that crowd our courts of law. One of the most unhappy phases of the problem of the high-grade feeble-minded girl is the injustice of punishing her for

crime for which she is irresponsible. The erring girl who promises, weeping, to reform and sin no more, can no more help yielding to the next temptation that besets her than she can help breathing. From a recent issue of the *Manchester Union* we cite a case exactly illustrating this point:

Judge —— sentenced Jennie Jones\* to thirty days at Grasmere at yesterday morning's session of the district court. Jennie is a young woman but an old offender, and is considered by the police to be a hopeless dipsomaniac in spite of the fact that she is less than twenty years old. Her case presents many pitiful features. She was released from a term in Grasmere less than two weeks ago, and was picked up Monday night again in a drunken and helpless condition. She pleaded guilty when arraigned in court yesterday but asked, tearfully, to be given another chance. "I'll be good, oh, I'll be good, if you'll let me go this once," she wailed. Judge —— hesitated, but he has tried the remedy of another chance with the girl before and concluded it was futile, so he gave her thirty days."

Though it might have been futile to give the girl another chance, nothing possibly could be more futile than to continue committing and recommitting this poor girl in this way, with no thought of taking any radical preventive or protective measures. It is girls like these who should be sheltered in an institution, where they can be made "happy, somewhat useful, and safe." Though no further details are known about this particular girl, it is girls of this type who are the prey of immoral men, and who generally give birth to defective and degenerate children.

The Commission is unanimous in making these recommendations to meet the situation in regard to the feeble-minded.

First. Custodial care should be given to feeble-minded girls and women of child-bearing age either at the State School for Feeble-minded or in a colony under its supervision.

Second. Until the establishment of such a colony, girls and women of child-bearing age should be admitted to the

\*Fictitious name.

School for Feeble-minded in preference to girls under twelve, or boys.

Third. In justice to the helpless little girls every day growing older, and the boys, provision should be made as soon as possible for the care of *all* the feeble-minded children of the state, in addition to the small percentage now being cared for at the State School for Feeble-minded.

Fourth. Provision should be made in the large public schools in the state for special classes for backward children, and the mentality of all backward children in the public schools should be tested by the Binet Measuring Scale.

This Commission does not advocate sterilization as a preventive measure, because the experience of the eight states,\* which have adopted such laws does not show it to be advisable. In only two states, Indiana and California, has the law ever been operative, and its operation is now discontinued in Indiana. It is liable to many abuses, there is grave question as to its constitutionality, and it does not prevent the spread of disease nor lessen immoral conditions. While the operation may be sometimes advisable in individual cases, it does not seem wise at present to authorize it generally by law.

The children of the moron type in the public schools should be cared for in special classes and given special training. Children of a lower type could be put into "try-out" or experimental classes. As many children as possible should be cared for in permanent institutions, either by state or county, but even then all cases could not be reached, for no state can care for all its feeble-minded. Even if the state were willing to appropriate the necessary money, all the parents would not allow their children to be taken from their care. There must always be many free in the community, and for this class a vigorous campaign of education should be waged. The problem of feeble-mindedness like the problem of immoral conditions in the schools must

\*Indiana (1907), Connecticut, California and Washington (1909), Nevada, New Jersey and Iowa (1911) and New York (1912).

often, in the last analysis, be referred to the parents. Some authorities advocate legislation making it possible to keep feeble-minded persons in institutions as long as necessary for their own protection, or for the protection of society, just as insane patients are now held, but this Commission does not feel justified in recommending any such drastic legislation at present.

For the low-grade cases, the absolutely hopeless and helpless ones, custodial care is the only thing possible. Though the initial expense may seem large, it is "penny-wise and pound-foolish" policy for New Hampshire to delay making further provision for the care of her defectives. She should at least make special provision for custodial cases and establish a colony or colonies for adults, where they can be partially self-supporting, at comparatively moderate expense. It is by no means necessary to provide expensive, elaborate buildings for these colonies.

In any event, for every year that she delays it will cost her eventually far more than it can possibly cost to take proper preventive and protective measures now.

## JUVENILE COURT LAWS.

BY REV. FR. BROPHY.

Our nation is still young and its legal system is, therefore, somewhat incomplete. The legal system of a nation must develop with the requirements of the growth of that nation.

The Juvenile Court Law of New Hampshire is among the laws which are inadequate to the purposes for which they were intended. Experience has taught those actively interested in the care of neglected, dependent, and delinquent children that our legislation should be amended to procure uniformity in our methods of dealing with these charges if we are to secure the best results both to the state and the child.

Therefore, the following suggestions for the amendment of the present Juvenile Court Law are respectfully submitted:

1. That a central state board for the general supervision of the work of caring for neglected, dependent and delinquent children be appointed by the Governor and Council.

2. For organization and powers of this Board see the Act to create a "board of children's guardians," pages 15 to 19 of this report.

3. That this Board have authority over all children brought before the Juvenile Court, whether truants, or delinquents charged with petty thieving, window breaking, annoying street vendors and other petty faults or with serious crimes, or children committed to institutions or placed in homes.

4. That this Board have authority to provide partial support, secure medical treatment, and otherwise exert parental authority with the same authority hitherto possessed by the Juvenile Court as regards minor transgressions. In this connection it is to be assumed always that the child is more sinned against than sinning, and an endeavor is always to be made "to cure delinquency by preventing it."



5. To see that probation officers are appointed by each district court.

It is further recommended that by special legislative enactment this Board be given authority—

(a) To summon parents before the court for the misdemeanors of their children; to hold parents responsible for truancy; to punish parents for neglecting to guard and train their children, or for giving them bad example.

(b) To make parents or guardians responsible for the board of a child committed for delinquency where the child is delinquent through the fault of parents or guardians.

*In Regard to Probation Officers:*

It is recommended—

1. That the duties of the probation officer and truant officer be combined wherever possible and that the salary be paid by county, town or city and be adequate to secure the best service.

2. That the appointment of probation officers shall be confirmed by the Board.

3. That the probation officer shall have authority to make such expenditures as may be necessary for the efficient discharge of his office, presenting such accounts as cannot be discharged by parents or guardians, to county commissioners.

4. That it shall be the duty of said officer—

(a) To secure the coöperation of the police officials, so that a child of school age not provided with a certificate showing that he is legitimately out of school, shall be taken into custody if found on the streets during the school session.

(b) To issue work certificates, to be revoked or suspended as necessary, compelling holders to report monthly.

(c) To compel boys between fourteen and sixteen to attend school when not actually working.



- (d) To notify parents or guardians of all children taken into custody, and to place both child and parents on probation when necessary.
- (e) To work along preventive lines and to have children committed when necessary to some detention home or institution pending the action of the Board.
- (f) To make such investigation as may be required by the court whenever a child under, or apparently under, the age of sixteen years shall have been arrested.
- (g) To be present in court in order to represent the interest of the child.
- (h) To furnish such information and assistance as may be required when the case is heard.
- (i) To take charge of the children before and after trial, as may be directed by the court.
- (j) To keep a complete record of each case and provide central Board with monthly reports, being responsible to Board for each case under his jurisdiction.
- (k) To take action against storekeepers who sell cigarettes, liquors or narcotics to boys or allow boys to hide on premises.
- (l) To exercise censorship over the books and periodicals publicly accessible to the young, and over moving pictures and slot-machines.

#### PARTICULAR RECOMMENDATIONS.

It is particularly recommended—

(a) That parks and playgrounds be established, having proper supervision, to provide safe and healthy recreation, and keep children from the street.

(b) That proceedings against juvenile criminals be conducted according to civil court procedure and that offenders be always arraigned in private sessions.

(c) That special classes be provided in schools for backward children, wherever possible, as experience teaches that in many cases backwardness tends to delinquency.

#### DELINQUENT PARENTS.

"Suggested act for the punishment of persons contributing to delinquency or neglect.

\*AN ACT TO PROVIDE FOR THE PUNISHMENT OF PERSONS RESPONSIBLE FOR, OR DIRECTLY PROMOTING OR CONTRIBUTING TO THE CONDITIONS THAT RENDER A CHILD NEGLECTED OR DELINQUENT.

*Be It Enacted by the General Court of the Commonwealth:*

SECTION 1. Any parent or parents, or legal guardian, or person having the custody of any neglected or delinquent child, as defined by the statutes of this state, or any other person who shall knowingly or wilfully encourage, aid, cause, abet or connive at such state of neglect or delinquency, or shall knowingly or wilfully do any act or acts that directly produce, promote or contribute to the conditions which render such child a neglected or delinquent child, as so defined, or who wilfully neglect to do that which will directly tend to prevent such state of neglect or delinquency, or conditions that make such, as aforesaid, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not more than one hundred (\$100) dollars, or by imprisonment in the county jail or work house for not more than fifty days, or both by such fine and imprisonment. Provided, that, instead of imposing the punishment hereinbefore provided, the court shall have the power to enter an order suspending sentence and releasing the defendant from custody on probation, for the space of one year, upon his or her entering into a recognizance, with or without sure-

\*See "Juvenile Courts and Probation," by Bernard Flexner and R. N. Baldwin, p. 275.

ties, in such sums as the court may direct. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in the court whenever ordered to do so within a year, and shall provide and care for such neglected or delinquent child in such manner as to prevent a continuance or repetition of such state of neglect or delinquency or as otherwise may be directed by the court, and shall further comply with the terms of such order, then the recognizance shall be void, otherwise it shall remain in full force and effect. If the court be satisfied by information or due proof, under oath, that at any time during the year the defendant has violated the terms of such order, it may forthwith revoke such order and sentence him or her under the original conviction. Unless so sentenced the defendant shall, at the end of such year, be discharged and such conviction shall become void.

SECT. 2. Whenever any child is found to be in such condition, surroundings or under such improper or insufficient guardianship as to lead the court, in its discretion, to take the custody of said child away from its parents and place it in some institution or under other custodial agency, the court may, after issuing and service of an order to show cause upon the parents or other person having the duty under the law to support said child, adjudge that the expense of caring for said child by said custodial agency or institution as fixed by the court shall be paid by the person or persons bound by law to support said child. In such event such person or persons shall be liable to pay to such custodial agency or institution and in such manner as the court may direct the money so adjudged to be payable by him or them. Wilful failure to pay said sum may be punished as a contempt of court and the order of the court for the payment of said money may be also enforced as money judgments of courts of records are enforced.

SECT. 3. Whenever a child within the jurisdiction of said court and *under the provisions of this act* appears to the court to be in need of medical care, a suitable order may be

made for the treatment of such child in a hospital, and the expense thereof shall be a county charge. For that purpose the court may cause any such child to be examined by any health officer within the jurisdiction of the court or by any duly licensed physician. The county may recover the said expense in a suitable action from the person or persons liable for the furnishing of necessities for said child.

SECT. 4. In trials under this Act, the persons proceeded against shall have the right to a trial by jury which shall be granted as in other cases, unless waived. If the finding of the jury be against the person tried their verdict shall so state, in which event the court, in its discretion, may enter such judgment as to it seems needful in the premises.

SECT. 5. The Juvenile Courts of the several districts of the state shall have exclusive jurisdiction of all cases coming within the provisions of this Act.

SECT. 6. This Act shall be liberally construed in favor of the State for the purpose of the protection of the child from neglect or omission of parental duty toward the child by its parents, and further to protect the child from the effects of the improper conduct or acts of any person which may cause, encourage or contribute to the neglect or delinquency of such child, although such person is in no way related to such child.

SECT. 7. If any section of this Act shall be held to be invalid such fact shall not effect any other section of this Act, it being the intention of the General Court in enacting this Act to enact each section separately; and if any proviso or exception contained in any section of this act shall be held to be invalid such fact shall not affect the remaining portion of said section, it being the intention of the General Court to enact each section of this Act and each proviso and exception thereto separately. "

*Detention Home.*

\*The district judge of any district may arrange with an incorporated society or association or private family main-

\*Vid. Juvenile Courts and Probation, p. 265.

taining a suitable place of detention for children in said district, for the use thereof as a temporary detention home for children coming within the provisions of this act, and may enter an order which shall be effectual for that purpose; and a reasonable sum shall be appropriated by the county commissioners of the county from which the child comes for the expenses incurred by said society or association or private family for the care of such children. If, however, the district judge shall certify that a suitable arrangement for such use cannot be made, or continued, the *State* shall *establish, equip and maintain* a home for the temporary detention of such children separated entirely from any place of confinement of adults, to be called "*The Detention Home*," which shall be conducted as an agency of the county court for the purposes of this act, and, so far as possible, shall be furnished and carried on as a family home and school in charge of a superintendent and a matron who shall reside therein.

#### *Release of Child.*

\*"Until the first hearing of the case by the court the chief probation officer, or any assistant probation officer, or any other official duly authorized so to do by the court, may release the child upon its own recognizance, or upon the recognizance of the parent or person having the custody, control, or supervision of the child, to appear before the court at such time as may be therein fixed. Any child embraced in this act shall have the right now given by law to any person to give bond or other security for its appearance at the hearing."

#### *Religious Belief of Parents Regarded.*

†"In committing any child to any custodial agency or placing it under any guardianship other than that of its natural guardians, the court shall, as far as practicable select as the custodial agency some individual holding the same religious

\*Ibid, p. 262.

†Ibid, p. 272.

belief as the parents of said child, or, in the case of private institutions or associations, some institution or association governed by persons of like religious belief."

*Decision of Court.*

\*"The court may place the child in the care and control of a probation officer and may allow such a child to remain in its home subject to the visitation and control of the probation officer, to be returned to the court for further proceedings whenever such action may appear to the court to be necessary ; or, the court may authorize the child to be placed in a suitable family home subject to the friendly supervision of the probation officer and the further order of the court ; or it may authorize the child to be boarded out in some suitable family home in such manner as may be provided by law ; or, the court may commit the child to any institution that may care for children within or without the county, incorporated under the laws of, or maintained by the State or any subdivision thereof." The expense of caring for such child shall be paid by the county, city or towns, of which the child is a resident.

\*Ibid, p. 260.



## APPENDIX.



# DIGEST OF NEW HAMPSHIRE LAWS RELATING TO CHILDREN.

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## APPENDIX.

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**Abandonment:** Whoever gives to any person an infant under three years of age for the purpose of placing it for hire, gain or reward under the permanent control of another person shall be deemed guilty of abandonment of such child. Whoever so receives a child for such purpose shall be guilty of aiding and abetting. Laws 1911, ch. 134, s. 9.

Any person who deserts or refuses to support his wife in destitute or necessitous circumstances without lawful cause, or neglects to provide for the support of his children, legitimate or illegitimate, under 16, shall be punished by fine not exceeding \$300, or imprisonment not exceeding 15 months, or both. Laws 1913, ch. 57.

If a person abandons an infant under four, or being a parent and having contracted for its support, absconds or fails to perform said contract, being of sufficient ability, shall neither visit nor remove such infant, nor notify the proper authority of his or her inability to support such child, he shall be punished by imprisonment. Accessories to such abandonment are to be punished by fine or imprisonment or both. Laws 1907, ch. 1.

If a husband separate himself within the meaning of the act from his wife or children of less than 16, or over 16 and less than 21 who are unable to support themselves, and neglects to support with or without separation, his wife when she is dependent in whole or in part on her own earnings for support, he shall be guilty of a misdemeanor and subject to fine or imprisonment, or both, or ordered to support such wife and children. Separation within the meaning of the act by a woman or mother from her husband or children is

also made a misdemeanor punishable by fine or imprisonment or both. Laws 1907, ch. 71. See also P. S. ch. 178, ss. 15, 16, 17, under "Guardians;" Laws 1895, ch. 116, s. 10, under "State Board of Charities."

**Adoption:** Provision is made for adopting a child by a petition to the probate court with the consent of the child's parents, if there are parents, or if one is deceased or insane of the remaining parent, otherwise of guardian, or if there is neither a parent nor guardian, with the consent of the next of kin, or in lieu thereof of a suitable person appointed by the court.

Provision is made for notice. A decree is to be granted when the judge is satisfied of the identity of the parties, and that it is fit and proper that the adoption should take effect. It is provided that for all legal purposes the child is the child of his adopted parent except as to the inheritance of property expressly limited to the heirs of the body of his adopted parent. As regards his former parents, the relation of parent and child no longer exists. Provision is also made for changing the adopted child's name when the decree of adoption is made if such change is requested. P. S. ch. 181.

The probate judge has jurisdiction in adoption and guardianship matters.

See laws 1903, ch. 116, s. 3, under "Guardians;" Laws 1907, ch. 125, ss. 13, 14 under "Juvenile Court;" Laws 1895 ch. 116, s. 10 and laws 1909, ch. 144 under "State Board of Charities and Corrections;" Laws 1911, ch. 134, ss. 10, 11, 12, under "Infants receiving and boarding."

**Crimes Against:** A parent or other person having custody of a minor child under the age of 14, who shall be guilty of cruel treatment of such child shall be punished by fine or imprisonment or both. Saloon keepers and proprietors of places of entertainment where liquor is dispensed, or dance houses or concert saloons, or licensed pool or billiard rooms,



shall not allow minors under 18 therein unless accompanied by parent or guardian. Children under 14 shall not be employed in public exhibitions. Sale of toy pistols is prohibited. Sale of cigarettes and tobacco to minors is prohibited, and delivery of tobacco, snuff or tobacco in any form to a minor under 18, except by a parent or guardian, is made punishable by a fine. Selling, lending, publishing or giving away of obscene literature or employing a minor in connection therewith or allowing a minor to be so employed is made a crime punishable by a fine or imprisonment or both. P. S. ch. 265.

Intoxicating liquor shall not be given, sold or delivered to a minor. A penalty is provided for false statements as to the age of a minor made to induce such sale or delivery. No girl and no minor is to serve liquor on the premises except to *bona fide* guests in their rooms or in the dining room with meals under licenses of the first class. Laws 1903, ch. 95, ss. 15, 17; Laws 1913, ch. 71, s. 1.

Liquor shall not be given or otherwise furnished to certain persons, among whom minors are included. P. S. ch. 264, s. 16.

No pawn shall be taken from a minor. Laws 1907, ch. 26, s. 2.

Junk dealers must keep a record of all articles purchased of minors, under penalty of fine or imprisonment for neglect. P. S. ch. 124, ss. 3, 4.

It is unlawful for any person to admit a minor under 14 to any show or place of amusement required to be licensed, after sunset or before sunset during the hours the public schools are in session, or to allow such minor to remain after knowledge, unless accompanied by a person of 21 or over. A violation of this act is punishable by fine or imprisonment or both. Laws 1909, ch. 137.

Possessing with intent to sell, or selling or offering to sell or give away fire crackers unless of limited size, or other prescribed dangerous explosives, is a crime punishable by a fine of not more than fifty dollars. Laws 1907, ch. 87.

Abducting a female child under 18 for the purpose of illicit sexual intercourse is made punishable by imprisonment of not more than 3 years or a fine of not more than \$5,000. P. S. ch. 272, s. 8.

Carnal knowledge of a girl under 16 years of age is punishable by imprisonment not exceeding 30 years. P. S. ch. 278, s. 15.

Kidnapping a minor child is punishable by imprisonment of from 5 to 30 years. Laws 1901, ch. 44. Kidnapping generally, punishable, P. S. ch. 278, s. 18. See "Labor" and "Abandonment."

**Curfew:** It is provided that in any city or town adopting the provisions of the curfew act as therein provided, it shall be unlawful for any minor under 16, to be in any public place after 9 p. m. unless accompanied by a parent, guardian or some other suitable person. The sounding of a curfew signal is provided for, and the parents or guardian of a child are liable to a fine or imprisonment or both for an offence under this act after a first offence and notice of the penalty prescribed for subsequent offences. Laws 1913, ch. 172.

**Deaf, Dumb and Blind:** Eighteen thousand dollars is appropriated annually for the support and education of deaf and dumb and blind persons of the state, to be spent under the direction of the Governor and Council, upon the recommendation of the State Board of Charities. P. S., Ch. 86, ss. 1, 2, as amended by 1905, Ch. 106, s. 1.

The State Board of Charities shall render certain aid to the blind in the state within the limits of the annual appropriation. 1913, Ch. 117.

See 1903, Ch. 116, under "Guardians;" 1913, Ch. 101, under "Industrial School;" 1911, Ch. 134, under "Infants, regulation, etc.;" 1907, Ch. 125, under "Juvenile Court."

**Feeble-Minded Children:** Provision is made for the establishment and maintenance of a school to which shall be

committed all idiotic and feeble-minded children between the ages of 3 and 21 who are town or county charges and who are capable of being benefited by school instruction. In this school the feeble-minded girls are to be detained after they become 21, if in the judgment of the board of trustees the best interests of the community demand their segregation. All children unable to pay are admitted as state charges, and those whose relatives, bound by law to support them, are of sufficient ability must pay for the support of such children. Provision is made for the commitment to the institution, upon application made to the judge of probate, of any feeble-minded child, or feeble-minded female of child bearing age who is not in a public institution or a town or county charge, subject to the same rights of appeal as in the case of a decree appointing a guardian over an insane person, reserving the right to *habeas corpus* proceedings. Laws 1901, ch. 102, as amended by laws 1905, ch. 23, s. 1 and laws 1809, ch. 47, ss. 1, 2.

**Guardians:** Provision is made for the appointment of guardians of minors, how they are to be selected, who may be appointed, their rights, powers and duties, are prescribed, provision is made for the investment of the funds, and for the appointment of the Society for Prevention of Cruelty to Children as guardian of children under fourteen who are abused or neglected, and for the appointment by a police court, upon complaint of the society as custodian of the child, for a period not exceeding sixty days, in which case the society may apply to the probate court to be appointed guardian of the child. P. S. Ch. 178.

Provision is made for the appointment of a guardian for a minor whose parents are unfit, upon petition to the probate court by certain public officers. Any orphans' home incorporated under the laws of this state, or the Secretary of the State Board of Charities and Corrections and his successors, may be appointed guardian. Minors under guardianship under the provisions of this act may be bound out

as apprentices or adopted in accordance with the provisions of the Public Statutes, their guardian consenting thereto, and in such cases the consent of the parents is not necessary. The consent of the minor is not necessary for the appointment of a guardian under this act, and the parent or other persons liable for his support are not thereby relieved of this burden, and the court may appropriate orders for the support of such minor by his parents, or such other persons. 1903, Ch. 116.

The father and mother of a minor child are joint guardians of such child, the survivor being sole guardian, and the custody of the child may be awarded to either parent by any court having jurisdiction. This does not prevent any court of competent jurisdiction from appointing any suitable person guardian of such minor. 1911, Ch. 104.

A guardian may upon his request be allowed to resign when it appears to the Judge of Probate proper to allow him to do so. 1905, Ch. 22, s. 1.

The written consent of parent or guardian is necessary to enable a minor to enlist in the National Guard. 1909, Ch. 102, s. 78.

Any person capable of making a will may nominate a guardian and for cause shown a Probate Court may refuse to appoint such nominee or may revoke his appointment. 1907, Ch. 53.

See P. S. Ch. 181, under "Adoption;" P. S. Ch. 265, under "Crimes Against," 1913, Ch. 172, under "Curfew;" 1907, Ch. 125, under "Juvenile Court." See "Labor" for liability of guardian for breach of Child Labor Law.

See generally as to powers and duties of a guardian: P. S. Ch. 177, as amended by 1905, Ch. 13, s. 1, and 1909, Ch. 56, s. 1; 1907, Ch. 15, s. 1; 1907, Ch. 16, s. 1, amendatory of P. S. Ch. 178; 1907, Ch. 34; P. S. Ch. 149, s. 21; P. S. Ch. 150, s. 20.

Misappropriation of funds by guardian is embezzlement. 1903, Ch. 20, s. 1.

**Illegitimate:** Concealing the death of a bastard child is a crime. P. S. Ch. 278, s. 14.

Children of marriages within the forbidden degrees of consanguinity are illegitimate. Ch. 174, s. 3.

Children born before marriage are legitimized by a subsequent marriage of the parents and their recognition of the child as their own. P. S., Ch. 174, s. 18.

The father of an illegitimate child must support it. The rights of the mother. P. S., Ch. 87.

The heirs of a bastard in the ascending and collateral lines are the mother and her heirs, and bastards and their issue are the heirs of the mother and her kindred. 1905, Ch. 4, s. 1. See 1911, Ch. 134, s. 12, under "Infants, boarding, etc."

Divorce of the parents does not affect the legitimacy of children born in lawful wedlock. P. S., Ch. 175, s. 7.

**Industrial School:** Provision is made for the name and appointment of trustees. Their powers and duties as to conveying land, approving bills, adoption of by-laws, the instruction of scholars, maintenance of discipline, visits to and examination of the institution, and the appointment of necessary officers agents and teachers are prescribed, and provision made for the reimbursement of their expenses. The duties of the Superintendent as to property and accounts, superintendence of instruction, maintenance of discipline, and the keeping of a record of each scholar, are prescribed.

The duties of the treasurer are prescribed.

Provision is made for the committal of minors under the age of 17 convicted of an offense punishable otherwise than by imprisonment for life, or who are truants, or incorrigibles or who knowingly associated with depraved persons, or who are growing up in idleness or crime, or who knowingly patronize gambling places or frequent houses of ill fame, for the term of their minority.

Minors erroneously committed to a penal institution may be transferred to the industrial school.



All minors committed to the industrial school are subject to the control of the trustees during the term of their minority. Minors sentenced by the federal courts are received upon certain conditions. Minors under 17 may be committed under the provisions of 1901, Ch. 110 (see *infra*) and of 1907, Ch. 125, ss. 15, 16 (See "Juvenile Court."), when unable to furnish bail until such time as their cases are disposed of by the Superior Court, but they shall not be subject to the provisions of this act as to release, indenture and discharge though they shall be subject to the provisions as to incorrigibles.

The trustees may, if the best interests of the child demand it, release such child at any time upon such conditions as they may in their discretion fix, and shall pay the board of such child if he cannot earn it and no suitable place can be found for him without payment.

The trustees may bind out as an apprentice to an inhabitant of this state any scholar during the term of his minority, the indenture to be subject to cancellation at their discretion.

In all cases of release and binding out, the trustees must regard the religious and moral character of those under whose custody a released or indentured child is placed. No release or binding out shall operate as a discharge, but the child shall remain fully subject to the control of the trustees and all contracts of release and binding out shall be subject to cancellation by the trustees. Provision is made for the appointment of a parole officer to look out for homes for released and bound-out children, and to keep in touch with such children after they are released or bound out, and recommend to the trustees a change when a change seems necessary. The State Board of Charities has the right to visit all released and indentured children, and the information as to their whereabouts, and the conditions of release, or the terms of indenture, are accessible to them.

The provisions as to release and binding out apply to



persons committed before the passage of the act, who have not been finally and formally discharged.

The trustees may transfer any inmate found to be incorrigible and dangerous to the discipline of the school to a state or county institution for such term as they see fit not exceeding his term at the industrial school. The trustees may at any time fully discharge from the school any scholar distinguishing himself by obedience, diligence and good conduct. 1913, Ch. 101.

Any minor under 14 ordered by a police court or justice to recognize and furnish bail for his or her appearance to the Superior Court, when he or she is unable to procure bail, may in lieu thereof be committed to the Industrial School. 1901, Ch. 110.

Any Justice of the Superior Court may, upon petition made by certain persons, discharge from the Industrial School any minor who has been erroneously committed. 1913, Ch. 183, s. 1. Children offending against the by-laws of the school district regulating attendance at school may be fined and committed to the Industrial School for a term not exceeding one year. P. S., Ch. 93, s. 7.

**Infants, Regulation of Receiving, Boarding and Keeping:** Boarding house for infants is defined as a place where two or more infants under the age of three, unattended by parent or guardian, and not related to the proprietor by blood or marriage, are kept for hire. Provision is made for the licensing of such boarding houses by the State Board of Charities, and for their revocation at its discretion, and for the making of rules and regulations by the board governing such places, and for annual visits by the State Board of Charities and local boards of health. The licensee must keep records, and keeping such a boarding house without a license is made punishable by fine or imprisonment or both. The State Board of Charities must be notified whenever an infant under three years of age is placed in the hands of another not a relative by blood or marriage for care for

hire, and the State Board of Charities may investigate, and may make such recommendations as it deems expedient, and enforce the same through the Superior or Probate Court. One failing to give this notice is punishable by fine or imprisonment. It is provided that one giving to any person an infant under three years of age for the purpose of placing it for hire, gain or reward under the permanent control of another person shall be deemed guilty of abandonment of such child. Whoever so receives a child for the purpose of so putting it in the hands of another person shall be guilty of aiding and abetting, and punished by fine or imprisonment. Whoever receives a child under the age of three for adoption, or giving it a home, or procuring it a home or adoption, must get the vital statistics concerning it, and within five days give notice of its reception to the State Board of Charities, report to them as requested, and the Board may at any time previous to a decree of adoption, take the child into its custody if it seems best. If the parents or guardian of a child under three are unable to support it they may, with the consent of the State Board of Charities, place it in the control of the State Board, who will thereupon have its custody to the extent of the provisions of Laws of 1895, Ch. 116, and Laws of 1893, Ch. 61, s. 1.

The mother of an illegitimate child under three years of age who has before had a good reputation may with the consent of the Board give up the child to the Board for adoption. Such surrender shall operate as a consent by her to any adoption subsequently approved by the Board.

Advertising boarding houses for infants and soliciting patronage is prohibited on penalty of a fine or imprisonment. Anyone receiving notice that an infant in such place is being cruelly treated must, on penalty of \$10 per day for each day's neglect, report to the county solicitor and to the State Board of Charities and Correction, and the Board may, and solicitor must, investigate and prosecute if probable cause appears. 1911, Ch. 134.

**Juvenile Court:** A juvenile court is established for children under the age of 17, dependent or delinquent within the meaning of the act.

A dependent child is defined, in substance, as any child who is destitute, homeless or abandoned, who is a beggar, or whose associations are vicious and depraved. Delinquent child is defined as a child who breaks the law, or who is incorrigible, or who associates with vicious or immoral persons, or patronizes gambling places or is growing up in idleness or crime. Association is defined as any corporation which includes in its purpose the care or disposition of children coming within the meaning of the act.

Section 2 provides that police and justice courts shall have original jurisdiction of cases under this act.

Cases in this court are to be held in rooms so far as practicable apart from rooms where criminal cases are heard, and no minors shall be present unless necessary, or unless justice requires it. It is made unlawful for any newspaper to publish the proceedings of any juvenile court.

Cases may be instituted in this court by verified petition, of any reputable citizen.

Provision is made for the compulsory attendance of the parent, if any, or guardian, if any, or relative or suitable person appointed by the Judge to appear with the child upon due notice, and for the detention of the child during the trial, at his home, with the probation officer, or in a suitable place provided by the city, county or state authorities.

The probation officer appointed by the judge shall not be a police officer, but shall in the exercise of his duties have such powers, and his records shall be open to inspection by any city marshal or chief of police.

He shall inquire into every case brought before the court, and he may recommend that any person convicted by the court be placed on probation; and the court may place any person so convicted in the care of said probation officer, upon such terms as may seem proper.

The probation officer must furnish each person released on probation, with a written statement of the terms of his release, and must keep a record of all his official acts.

The State Board of Charities and Correction must be notified of his appointment, and be furnished by him with monthly reports in such form as the Board shall direct.

His compensation shall be determined by the justice appointing him. He shall at the request of the Superior Court investigate any case on trial there, and may upon order of that court take on probation any person therein convicted.

Dependent or neglected children may be committed to the care of some reputable citizen, or some association willing to receive them. If the health or condition of the child requires it he may be committed to a hospital or institution (without charge). Such individual or association thereby becomes guardian of the person of the child, and may place it in a family home and may be made a party to adoption proceedings and its assent shall be sufficient to authorize the court to enter an order or decree of adoption.

Delinquent children may be committed to the care of the probation officer in their own home, or some other suitable family home subject to the friendly visitation of the probation officer and any further order of the court that may seem necessary. In case the court finds that any child should be subjected to punishment, he may, in default of bail, commit the child to the State Industrial School there to be kept until final disposition of his case in the Superior Court.

No court shall commit a child under 17 years of age to a jail or police station, but if unable to give bail he may be committed to the charge of a probation officer, or kept in some suitable institution provided, and no child is to be sentenced to any institution wherein adult convicts are confined.

In committing children, the religious faith of the child is to be considered.

Existing criminal law shall not be affected and the powers of the Superior Court are in no way abridged, nor the right of appeal from orders and decrees of police and justice courts.

The act is to be liberally construed to effect its purpose, namely, that the care and custody of a child approximate, as nearly as may be, that which would be given by its parents, and if possible the child is to be placed in an approved family home, and to become a member of the family by legal adoption. •

A penalty of \$200 is provided for the neglect of any officer to perform his duties under the act. 1907, Ch. 125.

**Labor:** No child under 12 shall be employed in any manufacturing establishment; and no child under 14 shall be employed in any manufacturing establishment, or in any mechanical, mercantile or other employment during the time when public schools are in session. No child under 16 shall be employed in any manufacturing establishment, or in any mechanical, mercantile or other employment, during the time in which schools are in session, without first presenting a sworn statement of his age, and also a certificate to the effect that he can read and write simple English sentences; and no minor who cannot so read shall be employed in any manufacturing establishment or in any mechanical, mercantile or other employment while a free evening school is in attendance, unless he attends regularly either the evening school or a day school, unless he gets a doctor's certificate, satisfactory to the proper school authorities, to the effect that such attendance in addition to his labor would be prejudicial to his health. Fines are provided for any breach of the provisions of this act by school authorities, parents, guardians or custodians, and by employers, and the State Superintendent of Public Instruction is given authority to enforce the provisions of the act. 1901, Ch. 61, s. 1.

No child under 14 shall be permitted to work in, about or in connection with any mill, factory, workshop, quarry,



mercantile establishment, tenement house, manufactory or workshop, store, business office, telegraph or telephone office, restaurant, bakery, hotel, barber shop, apartment house, bootblack stand or parlor, or in the distribution or transmission of messages or merchandise (s. 1). No child under 16 shall be allowed to work in such places while school is in session, unless he can read and write simple English, except that provision is made for the issue of a certificate allowing the employment of a child of 14 who is shown to be mentally incapable of learning to read and write. Inspection by the State Board of Health of places where minors under 16 are employed, and the discharge of children there employed, in case of undue risk to their health is provided for.

No boy under 10 and no girl under 16 shall sell newspapers or other merchandise in any street or public place, and no child shall work as a bootblack in any street or public place unless he is over 10. No person under 18 shall be employed to work as a messenger for a telegraph, telephone, or messenger company in the transmission, etc., of messages, before 5 A. M. or after 10 P. M. No boy under 16 or girl under 18 shall be allowed to work, except in domestic service, or on a farm, more than 58 hours in any one week, or, eleven hours in any one day, nor before 6.30 A. M. or after 7 P. M. except that minors over 16 may work in retail stores and telephone exchanges until 10 P. M. and boys of 14 may deliver papers after 5 A. M. and boys of 12 or over, between 4 and 8 P. M.

A certificate procured from the proper school authorities is made a condition precedent to employment of a child under 16 in the places named in s. 1 of this act, and provision for issuing and recording these certificates is made.

Provision is made for the enforcement of this law by truant officers under the supervision of state inspectors appointed by the State Superintendent of Public Instruction, who have the same powers as truant officers as to enforcement. Fines are provided for any violations of this act. 1911, Ch. 162, as amended by 1913, Ch. 224, ss. 1, 2.



No woman, and no minor under 18 shall be employed in any manufacturing or mechanical establishment for more than nine hours and forty minutes, except in certain cases, to make up time or to make necessary repairs. No female and no minor shall be permitted to work in any manufacturing, mechanical or mercantile establishment, laundry or restaurant, or confectionery store, or for any express or transportation company for more than  $10\frac{1}{4}$  hours in any one day, or for more than 55 hours a week.

It is also provided that if any female's hours of work in any of the employments above named shall be between 8 P. M. and 6 A. M. all her employment shall be considered night work, and eight hours a day and 48 hours a week the limit, except that if only one day's work per week is night work, she may work 55 hours a week. She must be allowed one hour during her working period, not to be considered part of the permitted period of daily employment, for dinner. Provision is also made that where females are employed in any manufacturing, mechanical or mercantile establishment, they shall be furnished seats, and be allowed to use them when not necessarily engaged in their active duties.

Provision is made for enforcing these provisions by requiring the employer to post notice of the hours of labor, and providing certain rules of evidence, and by imposing a fine for a false certificate of age and for violations of the provisions. 1895, Ch. 16; P. S., Ch. 180, ss. 14-20 as amended by 1907, Ch. 94, s. 1; 1913, Ch. 156.

Weekly payment of wages in certain industries is provided for. 1909, Ch. 134; 1911, Ch. 78.

An emergency medical chest must be maintained for employees injured on the premises in certain industries. 1911, Ch. 30.

No employee shall be required to work in any mill or factory on a legal holiday except to do work that is necessary and could be legally done on Sunday. 1913, Ch. 188.

**Marriage:** The marriageable age is 14 for males and 13 for females; the age of consent, for males 18 and for females 16. The marriage of persons of marriageable age, under the age of consent, is provided for under certain formalities. Any violation of the act is made punishable. Laws 1907, ch. 80, s. 1, amendatory of P. S. 174, s. 4.

For general provisions as to marriage, see P. S. ch. 174.

**Master and Apprentices:** Children under 14 may be bound out until that age without their consent, by the father and mother or guardian, or if he has none, by himself with the approbation of the selectmen, or the overseers of the poor. A minor over 14 may be bound out with his consent, girls until 18, or their marriage before that, and boys until 21. The form and requisites of the indenture are provided for, their effect and the effect of the death of the master. The rights of the apprentice are protected and indentures are made voidable upon the misconduct of the master. Provision is also made for the protection of the master in his rights. P. S. ch. 180, ss. 1-13 inclusive. See Laws 1903, ch. 116, under "Guardians;" Laws 1913, ch. 101 under "Industrial School." See P. S. ch. 84, s. 5, under "Unclassified."

**Mothers' Pension Law:** It is made the duty of the County Commissioners to provide, out of the funds of the county not otherwise appropriated, for the partial support of women of good repute, but poor and dependent on their own efforts, who are mothers of children under the age of sixteen. Only mothers who in the opinion of the school board are proper in every way to bring up their children, and who have lived in the county for at least two years prior to making application, are entitled to this help. The allowance must not exceed \$10 a month for the first child and \$5 a month for each other child, and is limited to those cases where, in the opinion of the school board, such allowance is necessary to save the children from neglect, and to those

cases where a mother who otherwise would be required to work regularly away from home, is enabled by means of such allowance to remain at home with her children.

**Ophthalmia Neonatorum:** The State Board of Health is given authority to make regulations to prevent the development of inflammation of the eyes of new-born babes in public hospitals or institutions in which midwifery is practised and in connection with the practice of legally licensed midwives, and provision is made for enforcing such regulations. 1911, Ch. 121.

**Parents:** In criminal cases, a warrant against a minor may require the parent or guardian to be summoned to attend the examination or trial and the parent or guardian summoned as therein provided may be judged to pay the fine and costs imposed. P. S., Ch. 248, s. 15.

See 1913, Ch. 172, under "Curfew;" see 1911, Ch. 104, 1909, Ch. 102, s. 78, and 1903, Ch. 116, under "Guardians." See 1907, Ch. 125, under "Juvenile Court." See "Labor" for liability for breach of child labor law. See P. S., Ch. 84, s. 12, under "Unclassified."

**Probation Officers:** See "Juvenile Court."

**Schools:** Compulsory attendance of children at school is provided for. The school board and the State Superintendent of Public Instruction have authority to enforce these regulations. P. S., Ch. 93, ss. 14 to 20 as amended by 1901, Ch. 61, s. 1, and 1913, Ch. 221, s. 1.

Evening schools shall be established in towns or cities of 5,000 inhabitants upon petition of 5% of the legal voters, such schools to be under the superintendence of the school board: 1901, Ch. 112.

For general regulations as to conduct of Public Schools, see P. S. Ch. 93, as amended by 1909, Ch. 90, s. 1 and 1913, Ch. 83; P. S., Ch. 89, ss. 1, 9-13, as amended by 1905, Ch.

72, s. 1, 1911, Ch. 46, 1911, Ch. 137, s. 1; 1901, Ch. 96, 1909, Ch. 158, s. 6; P. S. Ch. 92 and 1895, Ch. 46, as amended by 1911, Ch. 136, ss. 1, 2; 1905, Ch. 59, s. 1; 1903, Ch. 39; 1903, Ch. 5, s. 1; 1905, Ch. 91, s. 1; 1909, Ch. 28, s. 1; 1901, Ch. 16, s. 7; 1907, Ch. 7; 1907, Ch. 131.

**State Board of Charities and Correction:** The State Board of Charities is created. No minor between the ages of 3 and 15 shall be supported at any county almshouse for more than sixty days without the consent of the State Board of Charities, except such as are under serious physical disability or mentally incapacitated for education or are under sentence for crime, and it is the duty of the overseers of the poor or county commissioners under the supervision of the State Board of Charities to find permanent homes for such children in some orphan asylum or home or with some private family of good repute, and to contract for their education and support, the State Board of Charities being under the same duty to provide homes after the expiration of sixty days.

It is also provided that the overseers of the poor or the county commissioners may send to some institution suitable for the care, protection and education of children, children not employed in any lawful business whose parents are unable or neglect to support them, preference being given to that institution of the religious faith of the child's parents. It is also provided that the Board may give any child under their care to any suitable person to be adopted, if its parents have abandoned it or are unknown, and in such case the consent of the parents is not necessary. 1895, Ch. 116; 1893, Ch. 61, s. 1, P. S. pp. 277-279.

If any children born in any place in this state for the reception and care of women in labor or their children which is unclaimed by its parents, is given out for adoption by the manager of such place, notice must be given within five days to the State Board of Charities. Punishment by fine or imprisonment for neglect so to do is provided for. The

Board may inquire into the matter and may revoke the action of the manager and dispose of the child as provided above by Laws of 1895, Ch. 116, and Laws of 1893, Ch. 61,

**Unclassified:** The overseers of the poor may set to work or bind out as apprentices all children who are engaged in no lawful business, and whose parents are unable or neglect to support them, boys up to the age of 21 and girls up to 18.

Relatives in the line of parent or grandparent, child or grandchild, shall if able be liable for support of pauper, otherwise the town of his settlement. P. S. Ch. 84, ss. 5, 12.

When the husband is insane or a cause is in existence which is or if continued will be cause for divorce, the court may upon petition of the wife decree the custody of the children to her and make reasonable allowance out of the husband's estate for the support of her and the children. P. S., Ch. 176, s. 4.

Upon decree of divorce the court may make an order providing for the custody and support of the minor children. P. S., Ch. 175, s. 13.

No minor under 17 shall be put on trial until counsel has been appointed for him. 1913, Ch. 31, s. 1.







(Copy of letter sent with questionnaire.)

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STATE OF NEW HAMPSHIRE.

CHILDREN'S COMMISSION.

CONCORD, N. H., June 4, 1914.

MY DEAR ———

The State Children's Commission earnestly requests your attention to and active coöperation in the following:

The commonwealth of New Hampshire opened its school for the feeble-minded at Laconia, February, 1903. Here one hundred and eighty-two of this class are receiving suitable care and training. But there are already over two hundred on the waiting list and doubtless many more in the community who may become a burden to their parents and retard the progress of other children, both in the home and in the school. Such are frequently a harmful influence in the community as well, and may be in danger themselves.

The State Children's Commission, authorized by the Legislature of 1913 and appointed in July of that year, is engaged in a study to determine:

- (1) How many feeble-minded under 21 years there are in the State.
- (2) What can be done for their care and protection.

We hope you will see the great importance of this inquiry and will lend your assistance by listing on the enclosed blank (Table I) the initials of those feeble-minded children of whom you have knowledge, together with what other information you can give on the points suggested. It will be of still further help if you will insert in Table II the initials of any feeble-minded adults you may know. These records will be treated as strictly confidential, the initials being requested only in order to avoid duplication. If you know only one case please report that.

We shall be glad to answer any questions you may wish to ask.

Very truly yours,

LILIAN C. STREETER,

JOHN J. BROPHY,

ERVILLE B. WOODS,

*Commission.*

## NEW HAMPSHIRE CHILDREN'S COMMISSION.

## STATEMENT OF RECEIPTS AND DISBURSEMENTS.

## RECEIPTS.

From appropriations granted by Governor and Council as follows:	
August 29, 1913.....	\$250.00
January 24, 1914.....	600.00
July 31, 1914.....	500.00
	<u>\$1,350.00</u>
From private source to enable commission to pay salary and living expenses (in Concord), of field worker.....	742.65
	<u>\$2,092.65</u>

## DISBURSEMENTS.

Transportation—Field worker.....	\$151.10	
“ Members of Commission .....	99.62	
	<u>\$250.72</u>	
Subsistence—Field workers.....	\$221.33	
“ Members of Commission .....	49.65	
	<u>270.98</u>	
Telephone and telegraph.....	37.71	
Postage .....	78.65	
Stationery and cards.....	19.66	
Printing cards, letter heads, Binet test blanks, etc.....	46.80	
Stenography and typewriting.....	75.24	
Clerical help.....	23.91	
Miscellaneous supplies.....	4.59	
Salaries of special workers to give Binet tests.....	241.00	
Salary and living expenses (Concord) of field worker:		
Salary .....	\$613.33	
Board .....	57.54	
Room rent .....	71.78	
	<u>742.65</u>	
Printing reports.....	208.37	
Binding reports.....	35.00	
	<u>2,035.28</u>	
Unexpended balance, appropriations.....	\$57.37	

















